

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7833 of 2016

Arising Out of PS.Case No. -25 Year- 2012 Thana -C.B.I CASE District- PATNA

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1. Dinkar Jha son of Late Rudra Narain Jha, resident of Village and P.O. Manjhaul, PS- Manjhaul, District- Begusarai.

.... Petitioner/s

Versus

1. The C.B.I. Through S.P., CBI, ACB, Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur.
Mr. Ravi Ranjan

For the CBI : Mr. Bipin Kumar Sinha (SC/CBI)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

3 01-03-2016 Supplementary affidavit is filed on behalf of the petitioner.

Heard learned counsel for the petitioner as well as learned counsel, appearing for the CBI.

Petitioner is said to have defalcated government money to the tune of Rs. 33,16,650/- for which, he has been detained in a case registered under Sections-120B read with Section-409 of the Indian Penal Code and Sections-13(2) read with 13(i)(c) & (d) of the Prevention of Corruption Act, 1988 since 11-01-2016.

Contention on behalf of the petitioner is that in departmental proceeding, the petitioner was found guilty and accordingly, his entire retiral dues was forfeited but when the

petitioner filed appeal, the appellate authority ordered to forfeit gratuity as well as Rs. 50,000/- from the retiral benefit of the petitioner.

It is pointed out that earlier, the petitioner was granted privilege of anticipatory bail by a coordinate bench of this court, with direction to him to deposit the entire amount in question but the petitioner could not deposit the entire amount and chose to surrender before the court below and accordingly, he is languishing in jail custody since 11-01-2016.

Considering the above-said facts and circumstances of the case as well as submission of the parties, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Special Case No. 01 of 2013 arising out of R.C. Case No. 25(A) of 2012 to the satisfaction of learned Special Judge for CBI Cases-IIIrd, Patna.

(Hemant Kumar Srivastava, J)

A.K.V./-

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