

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15639 of 2016

Arising Out of PS.Case No. -12 Year- 2014 Thana -C.B.I CASE District- PATNA

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Abhijeet son of Late Bhirgu, resident of village- Sonia, P.S.- Daudpur,
District- Saran.

.... Petitioner

Versus

The Union of India through C.B.I.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Harshvardhan Shivsundaram, Advocate

For the Opposite Party : Mr. Bipin Kumar Sinha, Standing Counsel, CBI,

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-05-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection with Case No.RC-0012/S/2014, Trial No.20 of 2016 pending in the Court of Special Judicial Magistrate, CBI, Muzaffarpur, for the offences instituted under Sections 120B, 420, 467, 468 and 471 of the Indian Penal Code.

As per the prosecution case, the informant alleging before the SP, CBI/ACB, Lucknow vide letter dated 28.04.2014 stating that Raj Kumar Sah and others have lodged a complainant before him with regard to fake appointment in Indian Railways. A copy of the said complaint was enclosed with the said letter for needful. As per the complaint, the complainants are educated unemployed youth. The petitioner and one Ratnesh Kumar Singh

were posted as junior engineer in North East Railway, Chapra. They asked the complainants to give them rupees seven thousand and their certificates and they will provide them job in railways.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. He is a junior Engineer in the Railways. On the assurance of providing an appointment in Group-D, money was taken by different persons. Petitioner has been made accused due to mistake of fact. The allegations made are false and fabricated.

On behalf of counsel for the CBI, it has been submitted that the statement of fact of the bank account of the petitioner indicates that the money was transacted through his account for which he has got no explanation.

Considering the aforesaid facts and circumstances of the case, I am not inclined to release the above named petitioner on anticipatory bail, the same is rejected.

Anyhow, if the petitioner surrenders in the court below within a period of four weeks, the same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

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