

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35078 of 2017

Arising Out of PS.Case No. -1 Year- 2012 Thana -C.B.I CASE District- MUZAFFARPUR

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Vinay Yadav S/o Vijay Kumar Rai a resident of Village - Pahleja, P.S. -
Sonepur, District - Saran.

.... Petitioner

Versus

1. The State of Bihar.
2. The Central Bureau of Investigation.

.... Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Harish Kumar, Advocate
For the State	:	APP
For the CBI	:	Mr. Sanjay Kumar, SC, CBI

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

7 19-09-2017 Heard learned counsel for the petitioner and learned APP for
the State.

2. The petitioner is in custody since 04.09.2015 in connection with Case No. RC 01 (E) of 2012 for the alleged offences under Sections 120(B) and 409 of the Indian Penal Code and Sections 13(2), 13(1) (c) of the P.C. Act and charge sheet was submitted under Section 120(B), 420, 379 of the Indian Penal Code as well as Section 43(a) (i) read with Section 66 of the I.T. Act, 2000.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in connection with fraudulent transfer of about Rs. 29 crores through RTGS transferred from the account of Bharat Coking Coal Limited, Dhanbad to the beneficiary



National Farmers Co-operative Limited, Noida. It is submitted that the petitioner is not named in the FIR, rather his name transpired in the extra judicial confessional statement of co-accused. One of the grounds for rejection of the petitioner's prayer for bail before the learned Court of ADJ XIV, Muzaffarpur was that the bail petition of co-accused Umesh Sahu @ Umesh Kumar and Vikash Kumar @ Raja had been rejected by this court. Subsequently however, the said two co-accused persons have been granted bail by this Court on 06.09.2017 in Cr. Misc. No. 22501 of 2017 and Cr. Misc. No. 34599 of 2017 respectively.

4. Learned counsel for the CBI appears and has been heard.

5. Considering that similarly situated co-accused persons have been granted bail by this Court as well as having regard to the period of custody undergone by the petitioner, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Special Judicial Magistrate, CBI, Muzaffarpur in connection with Case No. RC 01 (E) of 2012 on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.



(iii) That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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