

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20938 of 2017

Arising Out of PS.Case No. -221 Year- 2012 Thana -C.B.I CASE District- MUZAFFARPUR

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Nitin Raj Verma S/o Shambhu Prasad Verma Resident of BSNL Quarter
Gandhi Chowk, P.S.- Town, District- Chapra (Bihar).

.... Petitioner/s

Versus

The Union of India Through C. B. I.

.... Opposite Party/s

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with

Criminal Miscellaneous No.38058 of 2017

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

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Pawan Kumar Singh son of Gopal Sharna Singh resident of village -
Gautam Niwas, Jai Prakash Nagar, Booty Road, P.S. - Sadar District -
Ranchi (Jharkhand).

.... Petitioner/s

Versus

The Union of India through C. B. I.

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.20938 of 2017)

For the Petitioner/s : Mr. Sanjay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar (SC,CbI)

(In Cr.Misc. No.38058 of 2017)

For the Petitioner/s : Mr. Rama Kant Sharma Sr. Advocate

For the Opposite Party/s : Mr. Bipin Kumar Sinha (SC,C.B.I.)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

7 22-11-2017 Both the above Criminal Miscellaneous have arisen

out of the same occurrence and as such have been heard together

and are being disposed of by passing this common order.

Heard the learned counsels for the petitioners as well

as the learned counsels for the C.B.I.



The petitioners want to renew the prayer of bail, which was earlier rejected vide order dated 14.01.2016 passed in Cr. Misc. 35654 of 2015 and Cr. Misc. No. 24032 of 2015 and further the prayer of bail of Pawan Kumar Singh was again rejected vide order dated 30.11.2016 passed in Cr. Misc. No. 38005 of 2016 on the ground that the petitioners are in custody since 12.01.2015 and 11.03.2015 respectively, nothing has been recovered from their possession, they were not involved in transferring the amount, the statement of co-accused cannot be used against the petitioners and in identical case they have been allowed bail by Jharkhand High Court. No loss has been caused to anyone and this is a case of an attempt. Further it is submitted that co-accused Umesh Sahu @ Umesh Kumar and Vikash Kumar @ Raja have been allowed bail vide Cr. Misc. No. 22501 of 2017 and 34599 of 2017 vide order dated 06.09.2017 and co-accused Monis Parvaizz @ Monish Parvej @ Mintu has been allowed bail vide Cr. Misc. No. 40438 of 2017 by order dated 09.11.2017 and as such the petitioners also deserve sympathetic consideration as in near future the trial is not likely to be concluded

Both the learned counsels representing the C.B.I. oppose the prayer of bail by submitting that both the petitioner are king-pin of the occurrence and if they will allowed bail, the trial



will be hampered .

Considering the aforesaid facts and circumstances as well as submissions of the parties and also keeping in mind the period of detention of the petitioners in jail custody, Let the petitioners above named be released on bail on execution of bail bond of Rs. 50,000/- (fifty thousand) each with two sureties of like amount each to the satisfaction of the learned Special Judicial Magistrate, CBI, Muzaffarpur, in connection with R.C. Case No. 01 (E)/2012 (arising out of New Delhi C.B.I. R.C. Case No. 221 of 2012), subject to the condition that one of the sureties must be local and holder of landed property and the petitioners shall attend the trial court on each and every date in person till conclusion of their trial and if they fail to do so on two consecutive dates without any reasonable explanation, the learned trial court shall be at liberty to cancel the bail bonds of the petitioners after due and proper enquiry.

(Jitendra Mohan Sharma, J.)

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