

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50085 of 2017

Arising Out of PS.Case No. -2 Year- 2017 Thana -C.B.I CASE District- PATNA

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Kanhaiya Kumar, Son of Shivnandan Prasad, Resident of Village Warisaliganj Main Road, Near Electric Office, P.S. Warisaliganj, District Nawada.

.... Petitioner

Versus

1. The State of Bihar
 2. The C.B.I. through the Superintendent of Police, C.B.I. S.C., Patna
- Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Sri Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 31-10-2017 Heard learned counsel for the petitioner and the learned Additional Public Prosecutor appearing on behalf of the State.

Petitioner apprehends his arrest in connection with CBI/SCB P.S. Case No.RC09220 17S0002 of 2017 registered under Sections 120B, 419, 420, 467, 468 and 471 of the Indian Penal Code.

The allegation in brief is that the I.A. applications were filed by the accused of CBI/SCB P.S. Case No.RC09220 17S0002 of 2017 and the petitioner is said to have sworn affidavit making statement that contents of the I.A. application are true to his knowledge and information. Provisional bail was granted considering the grounds taken in the I.A. application that the



petitioner's wife is pregnant and delivery date is in the near future. Thereafter again provisional bail was filed by filing I.A. application for extension of provisional bail that the petitioner had met with a road accident but on enquiry it was found that the petitioner was never married and no such accident ever took place, so by playing fraud the provisional bail was obtained and the Court directed for registration of FIR against the accused persons including the petitioner.

Learned counsel for the petitioner submits that he has only sworn affidavit by filing I.A. application on behalf of his brother.

Having considered the nature of the offence and the false affidavit sworn by the petitioner mentioning false statement, provisional bail was obtained, so prayer for anticipatory bail of the petitioner is rejected in connection with CBI/SCB P.S. Case No.RC09220 17S0002 of 2017, pending before the learned Additional Sessions Judge-XIIth, Patna.

(Arun Kumar, J.)

S.Kumar/-

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