

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62485 of 2018

Arising Out of PS. Case No.-8 Year-2018 Thana- C.B.I CASE District- Patna

Raju Kumar, Son of Late Ramchandra Ram, Mohalla- Pankha Toli, P.S.- Kazi Mohammadpur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The C.B.I. Through State.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Navendu Kumar

For the Opposite Party/s : Mr. Bipin Kumar Sinha (Sc,Cbi)

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 29-11-2018 Heard the learned counsel for the petitioner and the learned counsel for CBI.

The petitioner seeks bail in Spl Case No. 38/2018/R.C. Case No. 8(A) of 2018 (CBI/ACB/Patna P.S. Case No. RC0232018A0008/2018, instituted for offences under Section 120B of the Indian Penal Code read with Section 7 of P.C. Act.

It is alleged in the F.I.R. that complainant had applied for loan under PMEGP through online for making of iron grill. Thereafter he faced interview held by the D.M., Kishanganj and he was selected for the loan. He was informed by Uco Bank, Branch-Kochadhaman that his loan has been sanctioned. Thereafter he received sanction letter and was further asked to go for training so that he may get claim of subsidy.



It is further alleged that after taking training the informant received training certificate, which he had deposited in bank along with other requisite documents. It is alleged that when the complainant visited the bank for release of the loan amount, this petitioner informed him that total 14% of the sanctioned loan is required to be given as bribe, out of which, share of Bank Manager will be 10% and the rest 4% will be share of this petitioner.

Learned counsel for C.B.I. has submitted that a trap case was registered against this petitioner on the complaint made by the complainant that bribe was being demanded from him for sanction of loan amount, i.e. Rs. 3 lacs. The complaint was verified and was found to be true. Thereafter a trap team was constituted by the CBI, A.C.B. Pre-trap formalities was drawn by the C.B.I. team and total 60 G.C. Notes of Rs. 500/- each totaling Rs. 30,000/- were treated with phenolphthalein powder and were kept in the left pocket of the pant of complainant. All the conversation between the complainant and Assistant Manager (Petitioner) were recorded and they were apprehended red handed taking bribe. An amount of Rs. 12,000/- was recovered from pocket of petitioner. Prayer for bail of the Branch Manager, namely Narendra Kumar Sinha @ N.K. Sinha



has been rejected by a Co-ordinate Bench of this Court by order dated 09.10.2018 passed in Cr. Misc. No. 49591/2018. Learned counsel for the C.B.I. has produced statement of witness recorded under Section 164 Cr.P.C., wherein specific allegation has been levelled against this petitioner.

Considering the aforesaid facts and circumstances, this Court is not inclined to grant bail to petitioner. Accordingly, prayer for bail of petitioner is rejected.

Trial court is directed to expedite the trial.

Petitioner is given liberty to renew the prayer for bail after completion of one year in custody.

(Sanjay Priya, J)

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