

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42948 of 2018

Arising Out of PS. Case No.-6 Year-2018 Thana- C.B.I CASE District- Patna

Sunil Kumar Srivastava S/o Kanti Bhushan Srivastava @ Kanti Bhushan Prasad, R/o Vill.- Bariyarpur , Jai Prakash Nagar, Motihari , P.S.- Chhatauni, District- East Champaran.

... .. Petitioner/s

Versus

The Union of India Through Central Bureau of Investigation (Anti Corruption Branch, Patna).

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Krishna Prasad Singh, Senior Advocate Mr. Shailendra Kumar Singh, Advocate
For the CBI	:	Mr. Bipin Kumar Sinha, SC, CBI

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

3 27-07-2018 Heard learned counsel for the petitioner and the learned counsel appearing on behalf of the CBI.

Petitioner, already in custody, seeks bail in connection with R.C. Case No.0232018A0006 (06A of 2018), giving rise to Special Case No.5 of 2018, registered under Section 7 of the P.C. Act.

Allegation in brief is that the petitioner, Post Master in the particular post-office, made demand of Rs.4000/- from the complainant, one of the employees, for allotting him less work and a trap was laid down and Rs.4000/- was recovered from possession of the petitioner.

Learned counsel for the petitioner submits that there is equal distribution of work to each staff rather for dereliction of duty on the part of the complainant, notice was issued to him by the petitioner on 27.01.2018, so he was inimical to him and got him



falsely implicated in this case. The seizure memo indicates that the money was thrown by the petitioner and there is no reason for seeking any bribe from the employee. In case of any disproportionate allotment of work, the petitioner is not the highest authority of the department but no complaint was made to any superior authority of the Department by the complainant and this petitioner has been in custody since 12.04.2018; whereas the learned counsel appearing on behalf of the CBI opposes the prayer of bail of the petitioner and submits that Rs.4000/- was recovered from his possession.

Having considered the aforesaid facts and circumstances, petitioner Sunil Kumar Srivastava is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-III-cum-Special Judge, C.B.I.-2, Patna in connection with Special Case No.5 of 2018 (arising out of R.C. Case 6(A)/18) with a condition that the petitioner shall remain physically present on each and every date before the trial court and if he absents himself on two consecutive dates without any reasonable cause, his bail bond shall liable to be cancelled.

(Arun Kumar, J)

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