

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2444 of 2019

Arising Out of PS. Case No.-1 Year-2008 Thana- C.B.I CASE District- Patna

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Laxman Sharma s/o Chandradeep Mistry Resident of Jawahar Colony, Road
No. 3, Postal Park, P.S.- Kankarbag, District- Patna.

... .. Petitioner/s

Versus

The union of India Through C.B.I. The union of India Through C.B.I.

... .. Opposite Party/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 07-02-2019 Heard the learned counsel for the petitioner, the CBI
and the learned A.P.P. for the State.

The petitioner seeks bail in Special Case No. 04 of
2017, arising out of R.C. No. 01/S/2008, instituted for offences
under Section(s) 120(B), 414, 420 and 471 of the Indian Penal
Code.

The instant case has been registered on the basis of
written complaint of the Inspector, R.P.F., Patna as G.R.P. P.S.
Case No. 29/1998. In compliance of order of this Court dated
19.08.2008, G.R.P. P.S. Case No. 29/1998 was taken over by
CBI for further investigation. Thereafter, RC No. 01(S)/2008-
AHD/Pat. has been registered.

It is alleged in the written report that huge quantity of



NSC and KVP worth Rs. 40 crore approximately have been stolen from Wagon no. CR 64037 Patna (Parcel) to Hawrah (Parcel) from Patna Railway Yard between 20.01.1998 and 20.02.1998.

Learned counsel for the petitioner has submitted that charge-sheet has already been submitted in this case. Copy of charge-sheet has been filed by learned counsel for petitioner wherein it is mentioned in para 8 that during investigation it has come that this petitioner along with Kanhaiya Singh and one Parshuram (now dead) and unknown had conspired amongst themselves and in pursuance of the said conspiracy, Laxman Sharma and Kanhaiya Singh purchased blank NSC leaves from late Parshuram and supplied those blank NSC leaves to accused Rama Kant Singh.

It appears from charge-sheet that recovery has been made from the residential premise of co-accused Rama Kant Singh. There is no recovery from possession of this petitioner.

Petitioner is in custody since 15.06.2017.

Considering the aforesaid facts and circumstances, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, 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 the learned Special Judge, C.B.I. IInd, Patna in connection with Special Case No. 04 of 2017, arising out of R.C. No. 01/S/2008, subject to the conditions that

- (I) both the bailors shall be the close relative of the petitioner.
- (II) Petitioner shall be present on each and every date fixed by the court and absence on two consecutive dates without valid reason will result in cancellation of bail bond of the petitioner and
- (III) if petitioner tamper with the evidence in the case, prosecution will be at liberty to move for cancellation of bail bond of the petitioner.

(Sanjay Priya, J)

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