

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27931 of 2019

Arising Out of PS. Case No.-21 Year-2011 Thana- C.B.I CASE District- Patna

Shrawan Yadav @ Sarwan Kumar, Aged about 66 years, Male, Son of Late
Tulsi Yadav, Resident of Village Sondipi, Police Station Laxmipur, District
Jamui.

... .. Petitioner/s

Versus

The Union of India through C.B.I.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akhauri Kamal Kishore Sahay

For the Opposite Party/s : Mr.Bipin Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 30-04-2019 Heard both sides.

The petitioner apprehends his arrest in RC Case No.
21(A)/2011-Pat, corresponding to Special Case No.118/2011,
registered under Sections 120B/420/467/468/471 of the Indian
Penal Code as well as under Section 13(2) read with Section
13(1)(d) of the Prevention of Corruption Act.

The gist of the allegation is that the petitioner along
with other accused persons in collusion with Chitransh Tractors,
Jamui submitted fake land certificates in the Bank and the
Branch Manager, who has already been dismissed from service,
advanced tractor loan to many persons including the petitioner.

Learned counsel for the petitioner submits that the
petitioner has already deposited Rs.3,53,000/- in the loan



account. Similarly situated many other accused persons were granted anticipatory bail by order passed in Cr. Misc. No.39098 of 2013, Cr. Misc. No.16122 of 2013 and Cr. Misc. No.31600 of 2013. Petitioner is ready to deposit the entire loan amount with interest thereon within three months from today.

Shri Bipin Kumar Sinha, the learned counsel appearing on behalf of the C.B.I. submits that the other accused persons were granted anticipatory bail in the year 2013. The petitioner moved this Court for grant of anticipatory bail after eight years from the date of institution of the case.

Taking into consideration the facts that of course it is a glaring example of misappropriation of public fund by the Branch Manager in collusion with the loanees and the agency holders of tractor company but since many other persons have already been granted anticipatory bail on the undertaking that they would repay the entire loan within certain period and the petitioner also undertakes to repay the entire loan and the interest accruing thereon within three months from the date of this order, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of this order, be enlarged 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, Court 1, C.B.I., Patna in connection with RC Case No. 21(A)/2011-Pat, corresponding to Special Case No.118/2011, subject to the conditions laid down under Section 438(2) Cr.P.C.

If the petitioner fails to deposit No Dues Certificate immediately after three months from the date of receipt of this order from the Bank showing payment of the entire loan with interest thereon, the learned court below shall cancel the bail bond of the petitioner immediately thereafter.

(Prabhat Kumar Jha, J)

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