IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2029 of 2019

Arising Out of PS. Case No.-13 Year-2017 Thana- C.B.I CASE District- Patna

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Rajiv Ranjan Singh, son of Late Shailendra Narayan Sinha, Resident of 207, Asian Bihar Apartments, Patna permanent resident of Village and P.S. Vibhutipur, District - Samastipur

... ... Petitioner

Versus

The Central Bureau of Investigation Bihar

... ... Opposite Party

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Appearance :
For the Petitioner/s : Mr. Ajay Kumar Thakur with M/S Nirbhay Singh, Ravindra Kumar Shukla, Advocates
For the Opposite Party/s : Mr.Bipin Kumar Sinha SC, CBI

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 28-02-2019 Petitioner seeks bail in anticipation of his arrest in connection with Special Case No. 7 of 2017, corresponding to R.C. 13(A) of 2017, registered for the offences punishable under Sections 409, 420, 467, 468, 471, 120B, 34 of the Indian Penal Code and Section 13(2), read with Section 13(1)(d) of the Prevention of Corruption Act, 1988.

Allegation is of transferring of Rs.270,03,32,693/- from the Government Bank Account, which was meant for the purpose of land acquisition of Peerpainti Thermal Power Project, to the account of Srijan Mahila Vikas Sahyog Samiti Limited, Bhagalpur in fraudulent manner and petitioner happens to be Land Acquisition Officer at the relevant time and from the allegation it appears that he has also issued two cheques with his signature affixed on the back side of the cheques for transfer of the amount from one Bank to another and the aforesaid amount was credited in the account of Srijan Mahila Vikas Sahyog Samiti Limited. It further appears that in order to conceal their misdeeds, petitioner and one Rakesh Kumar Jha, the then Nazir forged the entries in the Bank account maintained in the office of the District Land Acquisition Officer, Bhagalpur and in such a way in conspiracy with the Srijan Mahila Vikas Sahyog Samiti Limited he has transferred the huge Government money in the account of Srijan Mahila Vikas Sahyog Samiti Limited. This is the scam of huge magnitude known as Srijan Scam.

Submission of learned counsel for the petitioner is that petitioner denied the signatures in the back of the cheques and documents have been sent to FSL but no report has been received till date and charge sheet has been submitted against him and, as such he has falsely been implicated in this case.

On the other hand, learned Standing Counsel for the CBI has opposed the prayer for anticipatory bail of the petitioner on the ground that there is signature of the petitioner on the cheques by which the amount has been transferred to Srijan Mahila Vikas Sahyog Samiti Limited and huge Government amount has been transferred in such a way to the account of Srijan Mahila Vikas Sahyog Samiti Limited, which is meant for land acquisition and further petitioner is not co-operating in the investigation and he does not appear before the CBI and now charge sheet has also been submitted.

Having heard both sides and in view of the fact that there is signature of the petitioner on the cheques by which the huge Government money has been transferred to the account of Srijan Mahila Vikas Sahyog Samiti Limited and the scam is of big magnitude and charge sheet has also been submitted, I am not inclined to grant privilege of anticipatory bail to the petitioner.

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

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