

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21698 of 2020**

Arising Out of PS. Case No.-5 Year-2018 Thana- C.B.I CASE District- Patna

SMT. JAYSHREE THAKUR W/o Sri Rajesh Kumar Choudhary Resident of
Flat No.404 Sundaram Apartment, Tilkamanjhi, P.S.- Tilkamanjhi, District-
Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar through C.B.I. Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pranav Kumar Jha

For the Opposite Party/s : Mr.bipin Kumar Sinha, CBI

**CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER**

4 08-09-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Special Case No. 01 of 2019 arising out of R.C. Case No.5(A)
of 2018 for the offence under Sections 409, 467, 471 and
120B of the Indian Penal Code read with Section 13(2),
13(1)(c) & 13(1)(d) of the P.C. Act.

Learned counsel appearing for the petitioner
submits that the petitioner is innocent and has not
committed any offence. According to the prosecution 82
Crores had been transferred from DLAO Banka to SMVSSL
and return thereon 92 Crores have been transferred from
SMVSSL to the account of DLAO Banka which is 10 Crore



morethan the alleged amount of defalcation, thereafter, it is crystal clear that no loss has incurred to the State exchequer. Moreover, the co-accused having more or less similar allegation has already been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 40816 of 2019 and Cr. Misc. No. 60402 of 2019 as also by the Hon'ble Supreme Court of India vide order dated 17.07.2020 passed in Cr. Appeal No. 484 of 2020 (Annexure-3). The petitioner, who is an old lady, is rotting in judicial custody since 28.01.2019.

Learned counsel for the CBI opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing his personal bond to the satisfaction of learned Special Judge, CBI-II, Patna in connection with Special Case No. 01 of 2019 arising out of R.C. Case No.5(A) of 2018.

(Arvind Srivastava, J)

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