

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60402 of 2019

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

SARITA JHA Wife of Mithilesh Pathak Resident of - Chhoti Hat, Sabour,
P.S.- Sabour, District - Bhagalpur and permanent resident of Village - Bharko,
P.S.- Amarpur, District - Banka.

... .. Petitioner/s

Versus

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

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Advocate

For the C.B.I. : Mr. Bipin Kumar Sinha, S.C.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 04-03-2020 Heard learned counsel for the petitioner and learned
counsel for the C.B.I.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 120B, 409, 467, 468, 471 of
the Indian Penal Code and Sections 13(2) read with Section
13(1)(d) of the Prevention of Corruption Act.

Petitioner Sarita Jha is one of the accused in this
criminal matter commonly and popularly known as SRIJAN
Scandal of hundred to thousand crores. Petitioner is in custody
since 12.08.2017.

In the past, prayer for bail of the petitioner was
refused on 10.05.2018 in Cr. Misc. No. 7781 of 2018 which was
heard along with Cr. Misc. No. 13449 of 2018 filed by co-
accused Arun Kumar Singh. By the same order, the learned Trial



Judge was directed to expedite the trial of the petitioners.

Submission of learned counsel for the petitioner is that even the charges have not been framed up-till-now.

Learned counsel for the C.B.I. contends that the charges have not been framed due to dilatory tactics adopted by different accused persons. The C.B.I. has also supplied police paper to the accused in April, 2019 and thereafter separate discharge petitions are coming before the learned court below one after another as a result whereof the trial is not proceeding. When this Court decided to get the trial of the petitioner separated, different inconvenience were raised by C.B.I. in going on with the trial separately in respect of individual accused.

Considering the fact that there is no chance of the start of the trial in near future, let the petitioner, above named, who is a female, be released on bail on furnishing bail bond of Rs.50,000/- (Rupees Fifty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Special Case No. 07 of 2017 arising out of R.C. No. 13A/2017, subject to the following conditions:-

(a) The petitioner shall fully cooperate with the trial



of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the petitioner.

(b) Both the bailors shall be resident of territorial jurisdiction of the learned court below having immovable property within the jurisdiction of the learned court below.

(c) The petitioner shall not leave the country without permission of the learned Trial Judge.

(d) The petitioner shall not indulge in tampering with the evidence.

(Birendra Kumar, J)

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