

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61815 of 2019

Arising Out of PS. Case No.-16 Year-2016 Thana- C.B.I CASE District- Patna

SUNIL KUMAR SINHA Son of Late Saryug Prasad Resident of Mohalla-
Sahay Lane, Tilak Maidan, Town- Muzaffarpur, P.S.- Town, District-
Muzaffarpur.

... .. Petitioner

Versus

THE CENTRAL BUREAU OF INVESTIGATION THROUGH SUPTD. OF
POLICE, ACB, PATNA Patna.

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ajay Kumar Thakur, Advocate

Mr. Prakash Kumar, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

4 05-03-2020

Heard learned counsel for the parties.

This application for grant of regular bail arises out of
CBI/ACB/Patna P.S. Case No. RC-023-2016A-0016 dated
03.08.2016 (giving rise to Special Case No. 10/2016), registered
for the offence punishable under Sections 120B, 420, 468, 471
of the Indian Penal Code and Section 13(2) r/w 13(1)(d) of the
Prevention of Corruption Act, 1988.

The petitioner is in custody since 04.09.2019. At
the relevant point of time, he was posted as Assistant
Superintendent of Post Offices, West Sub Division,
Muzaffarpur. Certain appointments were made against the post
of Gramin Dak Sewaks on the basis of the certificates, which
such candidates had furnished in support of their educational



qualification. The said certificates have subsequently been found to be forged, after verification from issuing authority, i.e., Bihar Sanskrit Shiksha Board. There is no allegation against the petitioner of having entered into criminal conspiracy with the persons, who obtained their appointment on the basis of forged certificates, and the officials of the Bihar Sanskrit Shiksha Board.

There is no material on record, at present, to show that there was any meeting of minds between the petitioner and the beneficiaries of the appointments in question.

Mr. Bipin Kumar Sinha, learned Standing Counsel for the Central Bureau of Investigation, opposing the prayer for bail has submitted that the petitioner was under obligation to verify the genuineness of the certificates submitted by the candidates before he had recommended for their appointments.

I need not comment upon the said submission as to whether the same amounts to criminal conspiracy or not, for the present.

Considering the facts and circumstances, this application 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.-II, Patna, in CBI/ACB/Patna P.S. Case No. RC-023-2016A-0016 dated 03.08.2016 (giving rise to Special Case No. 10/2016).

(Chakradhari Sharan Singh, J)

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