

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81339 of 2019

Arising Out of PS. Case No.-19 Year-2017 Thana- C.B.I CASE District- Patna

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BASANT KUMAR Son of Shri Ram Prasad Sah Resident of Village and P.O-
Karjain Bazar, Block-Raghopur, P.S.-Karjain Bazar, District-Supaul,
proprietor of Basant Rice Mill.

... .. Petitioner.

Versus

CENTRAL BUREAU OF INVESTIGATION THROUGH
SUPERINTENDING OF POLICE, CBI, ACB, PATNA.

... .. Opposite Party.

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Appearance :

For the Petitioner	:	Mr. P.K. Shahi, Senior Advocate. Mr. Girijish Kumar, Advocate.
For the C.B.I.	:	Mr. Bipin Kumar Sinha, Advocate.
For the Cooperative Bank:	:	Mr. Bindhyachal Rai, Advocate.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

5 23-06-2020 Heard the parties through Video Conferencing.

The petitioner apprehends his arrest in connection with
CBI/ACB/Patna in Special Case No.10 of 2017, arising out of
R.C. Case No.19(A) of 2017, registered under Sections 409,
420, 467, 468, 471, 477A and 120B of the Indian Penal Code
besides Sections 13(2) and 13(1)(d) of the P.C. Act.

The accusation is that the petitioner being the
Proprietor of Basant Rice Mill obtained Cash Credit Limit of
Rupees Five Crores from the Bihar State Cooperative Bank
Limited, Bihat Branch, Begusarai, without permission of the
Head Office, in collusion with its officials and also availed the
Cash Credit Limit of Rs.4,99,49,800/- but the said amount was



not deposited by the petitioner in the concerned Bank.

Learned Senior counsel for the petitioner submits that due to unavoidable circumstance, the petitioner could not deposit the withdrawn money and the petitioner undertakes that he will deposit Rupees Two Crores in the concerned Bank immediately and shall show the receipt of depositing Rupees Two Crores in the concerned Bank at the time of furnishing bail bond and also deposit remaining amount with interest in the concerned Bank within six months.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within eight weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, C.B.I., 1st, Patna, in connection with CBI/ACB/Patna in Special Case No.10 of 2017, arising out of R.C. Case No.19(A) of 2017, subject to the conditions laid down under Section 438(2) Cr.P.C., with further condition that the petitioner shall show the receipt of depositing of Rs.20000000/- (Rupees Two Crores) in the concerned bank at the time of furnishing bail bond and further the petitioner shall deposit the remaining amount with interest in the concerned



bank within six months. If the petitioner fails to deposit the remaining amount with interest within six months in the concerned Bank, the trial court would be at liberty to cancel the pre-arrest bail of the petitioner.

(Rajendra Kumar Mishra, J)

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