

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24846 of 2021

Arising Out of PS. Case No.-7 Year-2018 Thana- C.B.I CASE District- Patna

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AMRENDRA KUMAR YADAV aged about 43 years Son of Late Ayodhya
Gope R/o Mohalla- Mishra Tola, Badi Khanjarpur, Bhagalpur, Bihar.

... .. Petitioner

Versus

The state of Bihar through CBI, ACU- V, AC- H, New Delhi. Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Ravindra Kumar, Advocate

For the Opposite Party : Mr.Bipin Kumar Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 26-08-2021 Heard learned counsel for the petitioner and the CBI.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under section 420 and other ancillary sections of the Indian Penal Code and sections 13(2) respondent/w 13(i)(c) and 13(1)(d) of the PC Act, 1988.

As per the prosecution case, petitioner while working as Nazir/clerk in the office of the Deputy Development Commissioner, Bhagalpur, diverted the POs/DDs issued in favour of the DDC, in the account of an NGO which led to a scam popularly known as Srijan scam.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case as for the period in question he was not Nazir in the office of the DDC, Bhagalpur. Charge sheet has already been



submitted and cognizance of the offence has also been taken. Petitioner is in custody since 18.1.2020 though several similarly situated co-accused have already been allowed bail by co-ordinate benches of this Court vide orders passed in Cr.Misc.No. 38626/2020, 45511/20188635/2021.

Learned counsel appearing for the CBI opposes the prayer for bail. He submits that the public money was misappropriated by the petitioner in collusion with other accused persons.

Considering the rival submissions of the parties, materials available on the record and the fact that charge sheet has already been submitted and custodial interrogation of the petitioner is not required, several similarly situated co-accused have already been allowed bail by co-ordinate bench of this Court and petitioner is in custody since 18.1.2020, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Special Judge CBI-II, Patna in Special Case No. 04/2020, RC Case No. 7/A/18 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court



and shall remain physically present as directed by the Court
and on his/her absence on two consecutive dates without
sufficient reason, his/her bail bond shall be cancelled by the
Court below.

(2) If the petitioner tampers with the evidence or the
witnesses, in that case, the prosecution will be at liberty to move
for cancellation of bail.

(Prabhat Kumar Singh, J)

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