

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35617 of 2021

Arising Out of PS. Case No.-20 Year-2017 Thana- C.B.I CASE District- Patna

Sarita Jha Wife of Sri Mithilesh Pathak R/O Chhoti Hat, Brahman Tola, Sabour,
P.S.- Sabour, Dist.- Bhagalpur. Permanent Address- Village - Bharko, P.S.-
Amarpur, Dist.- Banka ... Petitioner

Versus

The Central Bureau of Investigation (C.B.I.), New Delhi New Delhi ..Opp. Party

Appearance :

For the Petitioner : Mr.Uday Pratap Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 05-10-2021 Heard learned counsel for the petitioner and the State
as well as learned counsel appearing on behalf of the C.B.I.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under Sections 420/34 and other allied sections of the Indian Penal Code as well as under sections 13(2) read with section 13(I)(C) and 13(I)(d) of the PC Act.

This case is one of the cases related to Srijan Scam at Bhagalpur registered on the basis of written complaint lodged by the Senior Treasury Officer, Saharsa in Police Station Sadar, Saharsa on 17.8.2017 related to misappropriation of funds from the account of Special land Acquisition Office, Saharsa to the account of Srijan Mahila Vikas Sahyog Samiti Ltd. Bhagalpur.



Accordingly, FIR no. 850 of 2017 was registered against Smt. Manorama Devi, Director, Srijan Mahila Vikas Samiti, Bhagalpur, the then Branch Manager and other officials of Bank of Baroda, Saharsa and Bhagalpur, the then cashier and head assistant of Special Land Acquisition Office, Saharsa under section 120B, 406, 409, 419, 420, 467, 468 and 471 of the Indian Penal Code in Police Station Sadar, Saharsa on 17.8.2017.

It is submitted on behalf of the petitioner that petitioner is not named in the F.I.R. and her name surfaced during the course of investigation and C.B.I. has submitted chargesheet against several co-accused persons including this petitioner. Petitioner is lady and has been remanded in this case on 17.10.2019.

However, learned counsel appearing on behalf of the C.B.I. vehemently opposed the bail application and submitted that there is sufficient evidence against this petitioner regarding her involvement in the said occurrence.

Considering the nature of allegations and the period of custody and also the fact that chargesheet has already been submitted in this case and also there is no chance of trial to be concluded in the near future, 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 learned Spl. Judge, C.B.I., II, Patna, in connection with Sadar Saharsa P.S. Case No. 850/2017, subject to 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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