

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30019 of 2020

Arising Out of PS. Case No.-16 Year-2017 Thana- C.B.I CASE District- Patna

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Banshidhar Jha (Male) aged about 44 years, Son of Shri Janardan Jha
Resident of Gadhaiya Tola, Bhikhanpur, Bhatta Road, P.S.- Ishakchak,
District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar through C.B.I., New Delhi.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjiv Sharan, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

8 22-02-2021 Heard learned counsel for the parties.

This is 2nd attempt for grant of bail. Earlier, the prayer
for bail of petitioner was rejected by this Court on 21.08.2018
passed in Cr.Misc. No. 42736 of 2018 (Annexure-1).

It is submitted on behalf of petitioner that petitioner
is in custody since 14.11.2017. It is further submitted that other
three co-accused namely Ram Krishna Jha, Binod Kumar
Mandal and Savita Jha have already been granted bail by this
Court, vide order dated 27.05.2020 in Cr.Misc. No. 3334/2019
(Annexure-3), order dated 15.07.2020 in Cr.Misc. No.
86875/2019 (Annexure-3A) and order dated 04.03.2020 in
Cr.Misc. No. 60402/2019 (Annexure-3B) respectively.
Chargesheet has already been submitted.



However, counsel for the C.B.I. opposed the bail application and submitted that this petitioner, in connivance with other officers, misappropriated an amount of Rs. Six crore of District Welfare Officer, Bhagalpur by committing forgery and use of forged documents. It is further submitted by the counsel for C.B.I. that as per his instruction, petitioner is languishing in jail since 16.01.2019.

Considering the period of custody and the fact that chargesheet has been submitted and other similarly situated persons have already been granted bail, the bail application of petitioner is allowed.

Let the above-named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Spl. Judicial Magistrate, CBI-II, Patna in connection with Spl. Case No. 2 of 2018 CBI/ACU-V/AC-II/New Delhi RC No.16 (A)/17 on the following conditions:

“(1) Petitioner shall cooperate 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 absence on two consecutive dates without sufficient reason, his 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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