

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43222 of 2021

Arising Out of PS. Case No.-2 Year-2017 Thana- C.B.I CASE District- Patna

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KANHAIYA KUMAR SON OF SRI SHIV NANDAN PRASAD Resident of
Village - Warsaliganj, Main Road Near Mahila Collage, P.S.- Warsaliganj,
Distt.- Nawada.

... .. Petitioner/s

Versus

The Superintendent of Police C.B.I., S.C.B., Patna. Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raj Krishan Jha, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 13-12-2021 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.

As per the prosecution case, this petitioner is alleged to have sworn false affidavit in support of IA No.399 of 2015 filed in Cr.Misc.No. 51540/2014 and thereby facilitated the provisional bail to the accused.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He submits that the aforesaid case had subsequently been dismissed as withdrawn. Further, in the FSL report, it has been opined that the handwriting appearing on the affidavit is not of the petitioner. Further, there is no allegation of



misappropriation and manipulation against the petitioner.
Petitioner is in custody since 24.12.2020. Investigation is complete.

Learned counsel appearing for the CBI opposes the prayer for bail.

Considering the aforesaid facts and circumstances of the case and the period of custody, prayer for bail of the petitioner is allowed. Let the petitioner, as named 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 Exclusive Magistrate, CBI, Patna in CBI Case No. RC2(s)/2017.

(Prabhat Kumar Singh, J)

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