

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3805 of 2021

Arising Out of PS. Case No.-13 Year-2017 Thana- C.B.I CASE District- Patna

Barun Kumar S/o Late Jagdish Prasad Yadav Resident of Sahebganj, Lower
Champa Nagar Road, Ward No.- 9, P.S.- University, District- Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of India through C.B.I., New Delhi, Govt. of India Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rudal Prasad, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 28-06-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove the defects within three weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Section 409, 420, 467, 468, 471, 477A and 120B of the Indian Penal Code and Section 13(2) r/w 13(1) (d) of the Prevention of Corruption Act 1988.

Petitioner is one of the accused in this criminal matter commonly and popularly known as SRIJAN Scandal of hundred to thousand crores.

Learned counsel for the petitioner submits that



petitioner is innocent, not named in the FIR and has been falsely implicated in this case. He submits that during the course of investigation of the case by CBI, the petitioner has co-operated the CBI to the extent till the submission of charge-sheet in this case and there is no allegation of tampering the evidences in this case. He submits that similarly situated co-accused has been granted bail by different Benches of this Court as annexed at Annexure-3 series of this application. He submits that CBI has filed the charge-sheet on 06.11.2017 and supplementary charge-sheet on 31.12.2020 in this case against 22 accused persons including the petitioner. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application and he is languishing in judicial custody since 17.09.2018.

However, learned counsel for the CBI opposes the prayer for bail submitting that petitioner is the main culprit in this case. He submits that the economic offences have deep rooted conspiracies involving huge loss of public fund and is considered as a grave offence affecting the economy of the country and needs to be visited with a different approach in the matter of bail. There has been alarming rise in white-collar crimes which have serious repercussions on the development of the country. Charges could not be framed due to dilatory tactics



adopted by different accused persons. He further submits that other co-accused has been rejected bail by coordinate Bench of this Court as annexed at Annexures- B and C of the counter affidavit. Learned counsel for the CBI further submits that without the active role of the employees posted in the Bank, it is not possible to transfer huge amount of money in the account of SMVSSL and also in utter violation of guidelines issued by the Reserve Bank of India from time to time.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, C.B.I.-II, Patna in connection with Special Case No. 07 of 2017 arising out of RC Case No. 13A of 2017, subject to the conditions:

(1) that one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to who he is related with the petitioner. He will also undertake to inform the court if there is any change in the address of the petitioner.

(2) that if the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to



move the learned Court below for cancellation of his bail bonds.

(3) that the petitioner will be well represented on each and every date fixed in the case and if they fail to do so on two consecutive dates his bail bonds shall be liable to be cancelled.

(4) that the petitioner will mark his attendance in the local police station in the first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(Anjani Kumar Sharan, J)

devendra/-

U		T	
---	--	---	--

