

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6540 of 2021

Arising Out of PS. Case No.-17 Year-2017 Thana- C.B.I CASE District- Patna

ATUL RAMAN Son of Vivekanand Saha Resident of Village - Parbati Near
Shiv Mandir, P.S.- University, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Shankar Choudhary

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 23-08-2021 Heard learned counsel for the petitioner and the C.B.I.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 120B/409, 420, 467, 468, 471 of the Indian Penal Code and u/s 13(2)/ 13(1)(C), (D) of Prevention of Corruption Act.

The F.I.R. relates to illegal transfer and misuse of fund from the Government Bank account in fraudulent and conspiratorial manner. The allegation in brief is that crores of rupees deposited or to be deposited in account of various schemes of Government of Bihar maintained by office of D.D.C.-cum-C.E.O., Zila Parishad, Bhagalpur with Bank of Baroda, Bhagalpur branch and Indian Bank, Bhagalpur branch were misappropriated or fraudulently diverted to some other account.



Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. The petitioner is not named in the FIR and name of petitioner has come in the case during the course of investigation. The petitioner is an employee of Bank of Baroda and at the relevant time he was posted as Assistant Manager, Scale-1 and thereafter he was promoted in Scale-2. The only allegation against the petitioner is with respect to cheque No. 763173 dated 12.01.2017 of Rs. 5,28,65,268/- (Rs. Five crore twenty eight lakhs sixty five thousand two hundred sixty eight) so brought by Manorma Devi and it is alleged that petitioner prepared false pay-in-slip dated 16.01.2017 for crediting the proceeds in the account of SMVSSL duly endorsed by Manorma Devi whereas the said cheque was processed and passed by Miss. Sweta Kumari and Miss. Mini Kumari but they have not been made accused in the case by the C.B.I. The petitioner only filled in pay-in-slip which was signed/ endorsed by Manorma Devi. The petitioner filled the pay-in-slip on the instruction of Branch Manager as Manorma Devi was esteemed customer of the Bank and the petitioner was duty bound to help the customer of the bank. Similarly situated accused, Ram Krishna Jha and Subrat Das have already been granted bail by co-ordinate



Benches of this court vide orders dated 27.05.2020 and 16.09.2020 passed in Cr. Misc. Nos. 33334/2019 and 22914/2020, respectively. Petitioner is in custody since 17.07.2017 and investigation in this case is complete and cognizance has already been taken.

Learned counsel appearing for the C.B.I opposes the prayer for bail and submits that during the course of investigation sufficient material has come against the petitioner regarding his involvement in the said illegal transfer of Government money to the account of Srijan Mahila Vikash Sahyog Samittee Ltd., Bhagalpur.

Considering the facts of the case, the period of custody of the petitioner and the fact that investigation in the case is complete and similarly situated accused have already been granted bail by this court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-XIV-cum- Special Judge, C.B.I.-II, Patna in connection with Special case No. 04/2018, arising out of RC/A/17 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)

BKS/-

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

