

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3826 of 2022

Arising Out of PS. Case No.-11 Year-2020 Thana- C.B.I CASE District- Patna

Ajeet Singh Son of Gaya Prasad R/O Village- Kaler, P.S.- Kaler, District- Arwal

... .. Petitioner/s

Versus

The Union of India Through C.B.I., Office of Superintendent of Police, Anti Corruption Branch, Dr. S.K.Singh Path, Bailey Road, Patna, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Advocate
	:	Mr. Saket Kumar Singh, Advocate
For the C.B.I.	:	Mr. Avanish Kumar Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

6 20-07-2022 Heard learned senior counsel for the petitioner,
learned counsel for the C.B.I.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Special
Case No. 6 of 2020 arising out of R.C. Case No. 11(A) of 2020
registered for the offence under Section 120(B) of the Indian
Penal Code and Sections 7 and 7(a) of P.C. Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 28.11.2021.

The allegation against the petitioner is to involve in
corrupt practices, as to accept bribe, alongwith other co-accused
persons against the assurance to clear physical
examination/medical examination of the candidates.



Learned senior counsel appearing on behalf of the petitioner submitted that the prime allegation against the petitioner is to accept bribe of Rs.60,000/- (Rupees Sixty Thousand), as per F.I.R., from a candidate, namely, Deepak Kumar for which a separate case was lodged as Kishanganj P.S. Case No. 52 of 2020, in which petitioner is on bail. It is submitted that while apprehending in Kishanganj P.S. Case No. 52 of 2020, confessional statement of the petitioner was recorded during police interrogation, where it has been stated that a total of Rs.3,94,100/- (Rupees Three Lakh Ninty Four Thousand One Hundred) has further been received as bribe, alongwith other co-accused persons. It is also submitted that there is no details and denominations of seized currency notes from the house of the co-accused as well as from the possession of the petitioner, which may connect the petitioner with allegation of accepting bribe. It is further submitted that the petitioner is not holding such official position, where he may decide the suitability of candidates, as regard to selection. It is submitted that from the impugned order dated 14.12.2021, it appears that the bail was not accepted by the Court below for the only reason that the petitioner was threatening the witnesses to face the dire consequences, where no police complaint is



being lodged. While concluding the argument, it is submitted that investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned counsel for the C.B.I., while opposing the prayer of bail, fairly conceded that petitioner is not holding any official position to decide the selection of the candidates and it is also conceded that F.I.R. is not dealing with the details and denominations of seized currency notes, as recovered from the house of the co-accused.

Considering the facts and circumstances as mentioned above, as there is no details and denominations of seized currency notes in furtherance of the said confession of the petitioner, alleged to be seized from the house of the co-accused coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Special Case No. 6 of 2020 arising out of R.C. Case No. 11(A) of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, C.B.I.-III, Patna, subject to the following conditions:

“(i) That accused/petitioner shall



not involve in the similar nature of offence till the conclusion of trial, failing which the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner, duly supported by the documents.

(iii) That one of the bailors shall be Ram Bachan Singh, who is the brother-in-law of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

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