

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6681 of 2022

Arising Out of PS. Case No.-8 Year-2018 Thana- C.B.I CASE District- Patna

SUB LAXMI PRASAD @ SUBH LAXMI PRASAD @ SUBH LAKSHMI PRASAD W/o Late Binoda Nand Prasad Resident of Mohalla - Rani Talab Road, Fatehpur, Ang - Vihar Apartment, Block - C, Near BCE, P.S. - Sabour, Dist. - Bhagalpur.

... .. Petitioner/s

Versus

THE CENTRAL BUREAU OF INVESTIGATION (C.B.I.), NEW DELHI
NEW DELHI.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Pratap Singh, Advocate
For the CBI : Mr. Bipin Kumar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 30-03-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with RC 8/A/2018 giving rise to Spl. Case No. 09/2019 arising out of Kotwali (Tilkamanjhi) P.S. Case No. 554/2017 registered for the offences punishable under Sections 34, 120B, 409, 419, 420, 467, 468 and 471 of the Indian Penal Code.

This is second attempt for grant of regular bail on behalf of the petitioner inasmuch as earlier the bail application of the petitioner was rejected by this Court vide order dated 08.02.2021 passed in Cr. Misc. 25660 of 2020 with liberty to renew his prayer for grant of regular bail after one year.



The petitioner is not named in the First Information Report and the allegation against her is that she being the Chairman of the Srijan Mahila Vikash Sahyog Samiti Ltd., jointly signed the cheques for transfer of the amount of Rs. 25 Crores from the account of Srijan Mahila Vikash Sahyog Samiti Ltd. to the account of Zila Kalyan Padadhikari.

Learned counsel for the petitioner submits that the petitioner was not named in the First Information Report. However, her name came in this case during course of investigation and the present case has been lodged for transfer of the amount of Rs.25 crores from the account of Srijan Mahila Vikash Sahyog Samiti Ltd. to the account of Zila Kalyan Padadhikari. He further submits that the petitioner was a joint Signatory of the Cheque along with one Sarita Jha who has been granted bail by a co-ordinate Bench of this Court in Cr. Misc. 35472 of 2021. He also submits that altogether 11 cases have been lodged by the CBI against the petitioner having the similar allegation and in one of such case the petitioner has been granted bail by a Bench of this Court in Cr. Misc. 27891 of 2020. He next submits that the petitioner is in custody since 28.11.2019 and she is an old lady of about 79 years of age. He next submits that the CBI has already submitted charge sheet



and there is no likelihood that the petitioner will influence the witness or tamper with the evidence while on bail. He also submits that a large number of co-accused persons have been granted bail either by this Court or by the Hon'ble Apex Court.

On the other hand, learned counsel for the CBI opposed the prayer for bail and submits that the petitioner in conspiracy with the other accused persons has facilitated the illegal transfer of the money giving rise to the Srijan scam.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that in the similar matter the petitioner has already been granted bail by a co-ordinate Bench of this Court and the co-signatory of the cheque, namely, Sarita Jha, has been granted bail by this Court, the CBI has already filed charge sheet, there is no likelihood that the petitioner will abscond or tamper with the evidence, the petitioner is in custody since 28.11.2019 and she being the old lady, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.50,000/- (Fifty thousand) with two sureties of the like amount each to the satisfaction of learned Spl. Judge, C.B.I.-II, Patna, in connection



with Spl. Case No. 9/2019 Cum RC 8/A/2018 arising out of
Kotwali (Tilkamanjhi) P.S. Case No. 554/2017 subject to the
following conditions:-

*(i) that the petitioner will be well
represented on each date in the trial and if
she fails to do so on two consecutive dates,
her bail bonds will be liable to be cancelled.*

*(ii) that the petitioner will file an
affidavit giving undertaking that she will not
leave the country without permission of the
court and submit her passport in the court
below.*

(Anil Kumar Sinha, J)

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