

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21512 of 2021

Arising Out of PS. Case No.-6 Year-2017 Thana- C.B.I CASE District- Patna

1. FIROZ ALAM SON OF ZAPHRUDDIN RESIDENT OF MILLAT COLONY, SECTOR-2, P.S.- PHULWARISHARIF, DISTT.- PATNA
2. MD. ASHRAF MOBIN @ ASHRAF MOBIN SON OF MD. MOBIN ANSARI RESIDENT OF JALWA TOLI, MOGHALPURA, P.S.- KHAJEKALAN, DISTT.- PATNA
3. PRAVEEN KUMAR SINGH SON OF RAMASHISH SINGH RESIDENT OF BIRLA COLONY, P.S.- PHULWARISHARIF, DISTT.-PATNA
4. ARUN KUMAR SON OF LATE JAGESHWAR VISHWAKARMA RESIDENT OF FLAT NO.-201, MAGADH VISHWAKARMA PLACE, SAMANPURA, RAJA BAZAR, P.S.- SHASTRI NAGAR, DISTT.- PATNA

... .. Petitioner/s

Versus

THE UNION OF INDIA THROUGH CENTRAL BUREAU OF INVESTIGATION, PATNA, BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Bindhyachal Kumar Singh, Sr. Advocate Mr.Deepak Kumar, Advocate
For the Opposite Party/s	:	Mr.Bipin Kumar Sinha, Advocate Mr.Avanish Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 28-06-2022 Heard the parties.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 120(B), 420, 467, 468 of the Indian Penal Code and section 13(2) r/w 13(1)(d) of



Prevention of Corruption Act.

The allegation against the petitioners is that they by illegally opening 41 bank accounts in absence of the account holders, exchanged around Rs.70,46,000/- of old currency of Rs.500 and Rs.1000 and cheated the Government of India for pecuniary gains, during demonetization.

It is submitted by learned senior counsel for the petitioners that petitioners are quite innocent and have committed no offence. They are not named in the F.I.R. and have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. Petitioners are the office staffs including peon, clerk of M/s Mothers International Academy. Nothing has been recovered from the possession of the petitioners. It is submitted that there is no material against the petitioners. Petitioners have no criminal antecedent.

Learned APP for the State as well as counsel for the C.B.I. opposed the prayer for anticipatory bail by submitting that the petitioners have cheated the Government for their pecuniary gains.

Having regard to the facts and circumstances of the case,



I am not inclined to enlarge the petitioners on bail. The prayer for grant of anticipatory bail to the petitioners named above is hereby rejected.

However, petitioners are directed to surrender before the learned Court below and seek regular bail and the learned Court below would pass the order, preferably, on the same day, in accordance with law, considering that there is no specific overt act against the petitioners.

Accordingly, this application is disposed of.

(Anjani Kumar Sharan, J)

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