IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33027 of 2021
Arising Out of PS. Case No.-13 Year-2018 Thana- C.B.I CASE District- Patna

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SHRI PREM KUMAR SINHA SON OF LATE RAJENDRA PRASAD SINHA RESIDENT OF VILLAGE- PIPRA, P.S.- GADAHRI, DISTRICT-BHOJPUR. PRESENTLY RESIDING AT H 101, LSUYOJIT ONE WORLD RESIDENCY, NASHIK-PUNE ROAD, P.S.- NASHIK ROAD, DISTRICT-AURANGABAD, MAHARASHTRA

... ... Petitioner

Versus

CENTRAL BUREAU OF INVESTIGATION,ANTI-CORRUPTION BRANCH,PATNA BIHAR

... ... Opposite Party

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Appearance :
For the Petitioner/s : Mr.Alok Kumar Sinha, Adv.
For the Opposite Party/s : Mr.Avanish Kumar Singh, Spl.P.P. (CBI)

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CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

7 31-08-2022 The learned counsel for the petitioner is directed to remove all the defects pointed out by the office within one month.

Heard learned counsel for the petitioner as well as the Mr. Avanish Kumar Singh, learned Spl.P.P. for the CBI.

The petitioner apprehends his arrest in connection with Special Case No. 08 0f 2020, R.C. Case No. 13/S/2018 registered for the offences punishable under Sections120 (B) r/w 409 and 420 of the Indian Penal Code and Section 13 (2) r/w Section 13 (1) (c) of Prevention of Corruption Act, 1988.

As per allegation, the petitioner who is Marketing Manager of Bank of Baroda, Branch Bhagalpur, in collusion with one Smt. Manorama Devi credited the huge Government's money in the account of Smt. Manorma Devi who was the secretery of Srijan Mahila Vikas Sahyog Samiti. The cheque of Rs. 45,84,000/- was issued by DDC drawn in favour of BDO, Goradih, Bhagalpur.

The learned counsel for the Petitioner has submitted that petitioner was Marketing Manager of Bank of Baroda in Bhagalpur Branch, Bhagalpur and he was not assigned the duty of issuance of cheque rather he was assigned the duty of issuance of sale and develop the third party projects.

On the other hand, the learned Spl.P.P. for the CBI, Mr. Avanish Kumar Singh has submitted that the matter relates to well known Srijan scam and by drawing my attention towards page no. 78 of the case diary he submitted that the statement was given by one Sri Arvind Kumar, the then clerk posted at the branch of that bank and Mr. Arvind Kumar has stated that during enquiry he was shown cheque number 255935 dated 11.07.2008 which was for Rs. 45,84,000/- and it was presented by Smt. Manorma Devi and processed by the present petitioner.

The present petitioner as per the inquiry report and as per the statement of Mr. Arvind Kumar has processed the cheque and when he processed the cheque it was deposited in the account of Srijan Mahila Vikas Sahyog Samiti. As such, petitioner is not entitled for anticipatory bail. Accordingly, it is rejected.

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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