

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37579 of 2021

Arising Out of PS. Case No.-12 Year-2017 Thana- C.B.I CASE District- Patna

Barun Kumar S/o Late Jagdish Prasad Yadav R/o Sahebganj, Lower Champa
Nagar Road, Ward No. -9, P.S.- University, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Union of India through C.B.I., New Delhi, Govt. of India. India.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rudal Prasad, Advocate
For the C.B.I.	:	Mr. Bipin Kumar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 11-01-2022 Heard learned counsel for the petitioner and Shri
Bipin Kumar Sinha, learned Standing Counsel for the C.B.I.
through virtual court proceedings.

The petitioner seeks bail in connection with Special
Case No. 05 of 2019 arising out of Kotwali (Tilka Manjhi) P.S.
Case No. 499 of 2017, RC Case No. 12A of 2017 instituted for
the offences under Sections 409, 420, 467, 468, 471, 477A and
120B of the Indian Penal Code read with Section 13(2) and
13(1)(d) of the Prevention of Corruption Act, 1988.

Learned counsel for the petitioner submits that the
petitioner is in custody since 17.07.2019, is a person with clean
antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that



informant in the F.I.R. alleges that signature of D.M., Bhagalpur was forged on three cheques of Rs. 5 crores each and thus Rs. 15 crores was diverted illegally from Account No. 10010100005215 in the name of D.M., Bhagalpur with Bank of Baroda and was credited in the account of Srijan also that an amount of Rs. 6,71,70,000/- was credited in the account of D.M. illegally through transfer from January 2010 to March, 2017. Further, an amount of Rs. 8,86,08,695/- which was to be credited in the account of D.M. was diverted and deposited in the account of Srijan.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case, he is an employee of Bank of Baroda and he has not committed any illegality and has cooperated with the C.B.I. in the investigation till submission of the charge-sheet, so there is no apprehension of tampering of evidence in this case and further that in similar circumstances, the Hon'ble Supreme Court granted bail to the petitioner in Criminal Appeal No. 227 of 20180 arising out of S.L.P. (CRL.) 151 of 2018. Learned counsel further submits that the investigation has been completed, charge-sheet has been submitted and from perusal of the charge-sheet at para 16.3.4, 16.3.5, 16.3.10 and 16.3.12 it would manifest that it assigns the



role of the petitioner and his involvement in illegal transfer of government money in the account of Srijan. Learned counsel submits that for the present charge-sheet has been submitted based on investigation which is in realm of allegations and are yet to be proved in the court of law.

Learned Standing Counsel for the C.B.I. opposes the prayer for bail of the petitioner but does not dispute that the petitioner has been granted bail in some of the cases.

Considering the fact that the petitioner is in custody since 17.07.2019, charge-sheet has been submitted in the case and the petitioner is a person with clean antecedent, let the petitioner above named be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, C.B.I.-II, Patna in connection with Special Case No. 05 of 2019 arising out of Kotwali (Tilka Manjhi) P.S. Case No. 499 of 2017, RC Case No. 12A of 2017.

(Satyavrat Verma, J)

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