

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37363 of 2021

Arising Out of PS. Case No.-6 Year-2019 Thana- C.B.I CASE District- Patna

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NAGENDRA PRASAD SINGH @ NAGENDRA SINGH Son of Baijnath
Singh R/o Sangrampur, P.S.- Taraiya, Dist- Saran.

... .. Petitioner/s

Versus

The State of Bihar through C.B.I. Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Surendra Kumar Singh

For the Opposite Party/s : Mr. Sourendra Pandey, SC CBI

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

15 19-12-2022 Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in a case registered for the offence punishable under Section 409, 120B, 420 of the Indian Penal Code.

As per the prosecution case, on the basis of report of Tata Institute of Social Sciences (TISS) the District Program Officer lodged a complaint with SHO, Patliputra PS vide Patliputra PS case No. 333/2018 alleging certain irregularities in the Shelter Home/ Short Stay Home run by IKARD.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. Petitioner is Secretary of IKARD, and officials and staffs of the proposed center are appointed by the District Administration who were looking after the management and



affairs of the Patna Unit. Petitioner has not committed any offence and he has been implicated by the informant only to save the skin of authorities of Patna Collectorate and the Social Welfare Department from the lapses committed by the officials as also in order to humiliate and harass the petitioner with an evil object without any valid and cogent reason. It is next submitted that during the course of investigation petitioner has fully co-operated with Investigating Officer, charge sheet has already been submitted and there is no allegation of tampering with evidence against this petitioner. Petitioner has got clean antecedent.

Learned counsel appearing for the CBI opposes the prayer for anticipatory bail and submits that certain irregularities were found in the running of Short Stay Home by IKARD of which petitioner is Secretary and he cannot escape from the liability which was found during the audit report.

Considering the facts of the case, nature of accusation and the fact that petitioner has fully co-operated during the investigation, charge sheet has already been submitted and no custodial interrogation of petitioner is required coupled with clean antecedent of the petitioner, let the petitioner, above named, in the event of his arrest/ surrender within a period of



six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Exclusive Magistrate, CBI, Patna in connection with RC case No. 06 (s)/ 2019, subject to conditions laid down u/s 438(2) of the Cr. P. C. with the following conditions: -

(I) The Petitioner/accused should not contact the prosecution witnesses or any person acquainted with the facts of accusation against them so as to dissuade them from disclosing the same to the Court or to the police.

(II) The petitioner/accused should cooperate the trial court in expeditious disposal of the trial against them.

(III) The petitioner/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The petitioner/ accused should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the petitioner in the instant case.

(Prabhat Kumar Singh, J)

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