

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31371 of 2020

Arising Out of PS. Case No.-35 Year-2018 Thana- MAHILA P.S. District- Kaimur (Bhabua)

SANJU SRIVASTAVA W/o Ajay Kumar R/o Village- Khuranu Kala, P.S.-
Chenari, District- Rohtas, at present Reside at Village- Kudra, P.S.- Kudra,
district Kaimur at Bhabua.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Central Bureau of Investigation (C.B.I.), Bihar Patna Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 27945 of 2020

Arising Out of PS. Case No.-35 Year-2018 Thana- MAHILA P.S. District- Kaimur (Bhabua)

BASHISHTH MUNI PANDEY Son of Raghubansh Pandey Resident of
Village - Nemora, P.S.- Karghar, District - Rohtas at Sasaram ... Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Central Bureau of Investigation (C.B.I), Bihar, Patna. Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 31371 of 2020)

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Adv.,
Mr. Deepak Kunal, Adv.

For the CBI : Mr. Bipin Kumar Sinha

For the Opposite Party/s : Mr.APP

(In CRIMINAL MISCELLANEOUS No. 27945 of 2020)

For the Petitioner/s : Mr. Deepak Kumar Sinha, Adv.
Ms. Kavita Verma, Adv.
Ms. S. Bharti, Adv.

For the CBI : Ms. Bipin Kumar Sinha, Adv.

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

19 30-03-2022 Heard learned counsel for the petitioners , learned
counsel for CBI and learned APP for the State.

The instant application for anticipatory bail has been
filed by the petitioners apprehending their arrest in connection



with Bhabua Mahila P.S. Case no. 35 of 2018 instituted for the offence punishable under Sections 341, 323, 354, 504 and 34 of the Indian Penal Code.

As per allegation in the FIR, petitioner Sanju Srivastava was working in the capacity of Rehabilitation Training Officer of Alpawas Grih under the scheme of Swam Sewi Sanstha. She used to be there for 24 hours and it was her duty to ensure about safety of inmates still she has not informed the authority about the misbehaving with them by other accused persons. Petitioner Bashistha Muni Pandey conspired with accused Shiv Govind Sah and others in preparation of attendance records, payment papers and other records related to visit of fictitious doctor.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have got no criminal antecedent. Petitioners are not named in the FIR. It is further stated that the matter was handed over to the CBI for investigation and after investigation, on 13.1.2020 CBI has submitted chargesheet against six accused persons including the petitioners. Statements of several girls were recorded under section 164 Cr.P.C. wherein they have not alleged any allegation against these petitioners. Specific



allegation of misbehaving is against Pintu Pal, who had already been granted anticipatory bail by a different co-ordinate Bench of this Court vide order dated 27.7.2018 passed in Cr. Misc. No. 43560 of 2018.

Learned APP appearing for the State and learned counsel for CBI have opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Bhabua Mahila P.S. Case no. 35 of 2018, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 1st cum-Special Judge, Kaimur at Bhabhua subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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