

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36255 of 2022

Arising Out of PS. Case No.-12 Year-2020 Thana- C.B.I CASE District- Patna

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Arun Kumar Pandey S/O Late Narmadheshwar Pandey, Resident of Nehru Nagar, Near House of Dr. Vinod Singh. P.S.- Buxar (town), District- Buxar.

... .. Petitioner/s

Versus

THE C.B.I through S.P, A.C.B Patna, Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Patel, Advocate

For the Opposite Party/s : Mr. Avanish Kumar Singh, Advocate(SC C.B.I.)
Mr. Ambar Narayan, Advocate

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 10-10-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
counsel for the C.B.I..

The petitioner seeks regular bail in connection with
Special Case No. 15 of 2020, arising out of C.B.I./A.C.B. Patna
P.S. Case No. 12A of 2020 lodged under Section 7 of the P.C.
Act.

Learned counsel for the petitioner submits that
petitioner has earlier moved for bail before this Hon'ble Court
and vide order dated 21.09.2021 passed in Cr. Misc. No. 14413
of 2021 his prayer for regular bail was refused with a liberty to
renew prayer for bail, if trial not concluded within 9 months

from today. Learned counsel for the petitioner further submits that 9 months have already been lapsed and therefore, he has preferred for bail.

A report has been called for by this Court from the court of Special Judge, CBI-II, Patna. As per report, it has been intimated that charge has been framed and out of 12 prosecution witnesses, evidence of 3 witnesses took place.

Learned counsel for the petitioner further submits that the petitioner is in custody since 06.11.2020, his antecedent is clean and he is aged about 57 years. He further submits that petitioner shall appear on each and every date before the trial court and shall support in trial.

Learned counsel for the C.B.I. opposes the prayer for bail and submits that it is true that even after direction given by this Court, the trial court could not be completed within 9 months from the date of rejection of the bail of the petitioner.

In the present facts and circumstances of the case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty 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. 15 of 2020, arising out of R/C

Case No. 12A of 2020, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file an affidavit before the court about his relationship with the petitioner.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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