IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46861 of 2021

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

==

Sant Kumar Sinha S/O Late Anil Chandra Sinha R/O Indraprastha Colony, Lichi -Bagan, Ishakchak, P.S. - Ishakchak, District - Bhagalpur.

... ... Petitioner/S

Versus

Central Bureau Of Investigation Through Its Superintendent Of Police, Patna

... ... Opposite Party/s

==

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh- Advocate
For the Opposite Party/s : Mr. Bipin Kumar Sinha- SC-CBI

==

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 12-01-2022 Heard the learned counsel for the petitioner and the learned Standing Counsel for the C.B.I. through video conferencing.

The petitioner seeks bail in connection with Special Case No.05 of 2019 arising out of R/C Case No.12/A of 2017, instituted for the offences under Sections 34, 120B, 409, 420, 467, 468, 471 of the Indian Penal Code and charge-sheet was submitted under Sections 120B, 409, 420, 467, 468, 471 and Sections 13(2), 13(1)(C) and 13(1)(d) of the Prevention of Corruption Act, 1988.

The learned counsel for the petitioner submits that the petitioner is in custody since 30.09.2019 and was a person with clean antecedent prior to Srijan Scam and charge-sheet has been submitted in the case.

The learned counsel for the petitioner submits that the informant alleged that signature of District Magistrate, Bhagalpur was forged on three cheques of Rs. Five Crore each and this amount was diverted from the account of D.M. to the account of Srijan. Further amount of Rs.6,71,70,000/- was deposited 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 credited in the account of Srijan in between 31.12.2014 to 31.01.2017.

The learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in the present case and was made an accused in the case after two years of his retirement from the post of Assistant Clerk in the Bank of Baroda, Main Branch, Bhagalpur. The learned counsel submits that petitioner has been made an accused in 16 other cases only on basis of suspicion because at the time of alleged occurrence, the petitioner was posted as Clerk in Bank of Baroda, Main Branch, Bhagalpur. The learned counsel for the petitioner further submits that during the investigation, no direct evidence has been found against the petitioner by the Investigating Authority and during the course of investigation, the only material which has been found by the C.B.I. against this petitioner is that he filled up pay-in-slip of a banker's cheque which was alleged to have been used for transfer of government money to the account of Srijan.

The learned Standing Counsel for the C.B.I. opposes the bail application.

Considering the fact that the petitioner is in custody since 30.09.2019 and was a person with clean antecedent prior to Srijan Scam and charge-sheet has been submitted in the case and co-accused as stated in the bail application has been granted bail, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten 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.05/19 arising out of R. C. Case No.12/A/17.

The application stands allowed.

(Satyavrat Verma, J)

vikash/-

U		T	