

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52482 of 2021

Arising Out of PS. Case No.-13 Year-2017 Thana- C.B.I CASE District- Patna

RAM KRISHNA JHA @ R.K. JHA S/O Muninath jha R/O Brahman Tola,
P.S. - Sabaur, Dist. - Bhagalpur.

... .. Petitioner/s

Versus

The Central Bureau of Investigation (C.B.I.), New Delhi. Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Pratap Singh, Advocate

For the Opposite Party/s : Mr. Bipin Kumar Sinha, SC, CBI

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 09-03-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in connection with RC Case no. 13A of 2017, C.B.I/ACU-V/AC-II/New Delhi giving rise to Spl. Case no. 2 of 2021 (arising out of Kotwali (Bhagalpur) P.S. Case no. 500 of 2017) registered under sections 120B, 409, 420, 467, 468, 471 and 34 of the Indian Penal Code and section 13(2) read with section 13(1)(d) of the Prevention of Corruption Act.

This case arises out of Srijan scam. As per the prosecution case the cheque meant for government authorities were deposited in the account of Srijan Mahila Vikas Sahyog Samiti Limited ('SMVSSL' in short). The petitioner who was the Assistant Branch Manager posted at Bhagalpur Branch of the Indian Bank was the maker and checker both. The cheques



were deposited in the account of SMVSSL as a result of criminal conspiracy by Rajeev Ranan Singh, Rakesh Kumar Jha, Manorma Devi, Ashok Kumar Thakur and the petitioner herein. Several cheques were filled-up by this petitioner and as and when amounts were required, the same were transferred from the account of SMVSSL under the signatures of Manorma Devi and Sarita Jha to the account of District Land Acquisition Officer (DLAO) so that the scam may not be discovered.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case only on account of his being the Assistant Branch Manager, posted at Bhagalpur Branch of the Indian Bank at the relevant time. He was not named in the FIR nor in the charge sheet. His name transpired in the supplementary charge sheet dated 31.12.2020. The allegations against the petitioner are mainly based on documents which are in custody of the Investigating Agency. The petitioner is in custody since 27.1.2021 and undertakes to cooperate in the trial.

The application for bail is opposed by learned Standing Counsel for the Central Bureau of Investigation who submits that there is specific allegation against this petitioner that while he was posted as the Assistant Branch Manager at



Bhagalpur Branch of the Indian Bank he was acting as maker and checker of the cheques and he actively participated in the crime. It is submitted that once the petitioner is released, he will tamper with the evidence and will not permit the trial to proceed.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the petitioner having remained in custody for more than 1 year and charge sheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with RC Case no. 13A of 2017, C.B.I/ACU-V/AC-II/New Delhi giving rise to Spl. Case no. 2 of 2021 (arising out of Kotwali (Bhagalpur) P.S. Case no. 500 of 2017) on furnishing bail bond of Rs.25,000/ (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, C.B.I. II, Patna on the following conditions:

(i) the petitioner shall deposit his passport with the learned trial Court or in the alternative file an affidavit to the effect that he does not hold a passport.

(ii) the petitioner shall fully cooperate in the trial and shall remain physically present in Court on each date.

(iii) both the bailors of the petitioner shall be close



relatives of the petitioner.

In case of violation of any of the conditions, as stated above, the learned trial Court may cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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