

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51547 of 2021

Arising Out of PS. Case No.-6 Year-2018 Thana- C.B.I CASE District- Patna

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Sarita Jha W/o Sri Mithilesh Pathak R/o Chhoti Hat, Brahman Tola, sabour,
P.S. - Sabour, P.S. - Sabour, Dist. - Bhagalpur. Permanent Address - Village -
Bharko, P.S. - Amarpur, Dist. - Banka.

... .. Petitioner

Versus

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

... .. Opposite Party

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 28-04-2022 Heard Mr. Uday Pratap Singh, learned counsel for the

petitioner and Mr. Bipin Kumar Sinha, representing the CBI.

Let the defect(s), if any, as pointed out by the office

be removed by the learned counsel for the petitioner within a

period of four weeks.

The petitioner is in judicial custody in connection

with R.C. Case No. 6(A) of 2018 arising out of Special Case

No. 11 of 2020 for the offence under sections 420, 465, 468,

471, 477A & 120B of the Indian Penal Code.

As per the prosecution story, it is alleged that this

petitioner was the Manager of Srijan Mahila Vikash Sahyog

Samiti at Bhagalpur and the allegation against her is that she

was entrusted with the responsibility of statutory audit of the



(SMVSSL) for the year 2014-15. She was again directed to prepare final accounting for the statutory audit (SMVSSL) for for the year 2020 vide proposal no. 3/5.5.2015.

It has further been alleged that she was the person who was the custodian of the register.

The FIR alleges that the office bearers including the petitioner herein created false record of the general meeting and used record/minutes of the meeting as genuine for opening of the bank account, amendment in by-laws and other purposes for running the society.

Mr. Uday Pratap Singh, learned counsel for the petitioner submits that altogether 22 criminal cases have been lodged in connection with this 'Srijan' case and she has been in judicial custody since 12.8.2017. He further submits that she has been granted bail in altogether 19 cases. So far as the position of the trial is concerned, it is submitted by him that it is at present at the stage of appearance.

Mr. Bipin Kumar Sinha, the learned counsel for the CBI although has opposed the prayer for bail has conceded on the point that of altogether 22 cases that has been lodged against this petitioner, she has been granted the privilege of bail in 19 cases and further she is in jail since 12.8.2017.



Taking into account all the aforesaid facts including the fact that the charge-sheet has already been submitted in the matter and the petitioner is in jail for the last four and half years; this Court is inclined to grant the privilege of bail to the petitioner.

Let the petitioner be released on bail on furnishing bail bond of Rs. 50,000/- (Fifty thousand) with two sureties of like amount each to the satisfaction of Special Judicial Magistrate, C.B.I., Patna, in connection with Special Case No. 11 of 2020 Cum RC 6(A)/2018 arising out of Sabaur (Bhagalpur) P.S. Case No. 241 of 2017 subject to the following conditions:-

(i) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail cancellation of bail by the Trial Court itself;

(iii) she shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of her



bail bonds;

(iv) the petitioner shall surrender her passport, if she holds, before the Trial Court till the completion of the trial.

(v) the petitioner shall furnish her contact number to the Central Bureau of Investigation for communication and necessary action.

With the aforesaid observation, the bail application is allowed.

(Rajiv Roy, J)

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