

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18953 of 2021

Arising Out of PS. Case No.-7 Year-2018 Thana- C.B.I CASE District- Patna

RAM KRISHNA JHA @ R. K. JHA Son of Late Muninath Jha @ Maninath Jha Resident of Brahmin Tola, P.S.- Sabour, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

Central Bureau of Investigation through its Superintendent of Police, Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. Bipin Kumar Sinha, S.C. to C.B.I.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

7 18-01-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in connection with Special Case no.4 of 2020, RC-7(A) of 2018 registered for the offences under sections 120B, 409, 420, 467, 468 and 471 of the Indian Penal Code and sections 13 (1)(c), 13(1)(d) and 13(2) of the Prevention of Corruption Act.

The instant application is one of the cases relating to the Srijan scam. The allegations specific to the petitioner in the instant case being that the Bank officers including the petitioner herein violated the banking norms and deposited the cheque drawn in favour of D.D.C., Bhagalpur into the accounts of Srijan Mahila Vikas Sahyog Samiti Limited (SMVSSL in



short) in the Indian Bank.

It is submitted by learned counsel for the petitioner that with similar allegations, a total of six F.I.Rs. were registered in which the petitioner has been enlarged on bail in three cases. The cause of false implication of the petitioner is that at the relevant time the petitioner was posted as Assistant Branch Manager, Indian Bank, Bhagalpur. Although, the allegations are not correct, even accepting the same for the sake of argument, the nature of allegations are purely in the form of a documentary evidence and chargesheet having been submitted in the case, a copy of which has been provided by the C.B.I. to the Court, no purpose would be served in keeping the petitioner in custody. The petitioner is in custody in the instant case since 23.1.2020 and undertakes to cooperate in the trial.

The application for bail is opposed by learned Standing Counsel for the C.B.I. who submits that the investigation in the case revealed that the petitioner was directly involved along with other accused persons in diverting/defalcating the amounts, details of which have been given in the chargesheet. Although the amounts/cheques were meant for D.D.C., Bhagalpur, the same were deposited in the account of SMVSSL. It is further submitted that in case the



petitioner is enlarged on bail, he will not cooperate in the case/trial and the case is at the stage of supply of police papers to the accused.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the petitioner having remained in custody since 23.1.2020 and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Special Case no.4 of 2020 (arising out of RC Case no.7(A) of 2018) on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, C.B.I. II, Patna.

It is further directed that the petitioner shall cooperate in the trial and shall remain physically present on each date in the learned court below. In case of non-cooperation on part of the petitioner, the learned trial court will be at liberty to cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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