

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59812 of 2021

Arising Out of PS. Case No.-4 Year-2014 Thana- C.B.I CASE District- Patna

LOHRA BHAGAT Son of Late Bhauwa Bhagat Resident of 29, Defence Colony, Lohia Nagar, P.S.- Kankarbagh, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar through C.B.I. Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjiv Sharan, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 11-02-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State in virtual Court proceeding.

The petitioner seeks bail in connection with Special Case No.03 of 2014 arising out of RC/04A of 2014 registered for the offence under Sections 420,467,468 and 471 of the Indian Penal Code and Section 13(2) read with Section 13(1)d of P.C.Act, 1988.

The prosecution case, in short, is that Lohra Bhagat posted as Sr. Accountant in the office of Director of Accounts, Patna, Postal Department. During the year 2010-13 got appointed as Dy. Chairman of ST Commission in Govt. of Bihar



for a tenure of three years by using forged named as Lalit Bhagat and thus enjoyed both the posts and received salary from both the departments. It is alleged that he received Rs.Fifteen Lakhs from Govt. of Bihar by holding the post of Dy. Chairman in addition to his pay and emoluments from the parent department.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that the petitioner has got the gross salary of Rs. 3,41,444/-from the Postal Department during the period in question July 2010 to July 2011. He further submits that it is admitted fact that the petitioner has impersonated himself as Lalit Bhagat. He further submits that the C.B.I., after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 27.07.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five 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.03 of 2014 arising out of RC/04A of 2014 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Nitesh/-

U		T	
---	--	---	--

