

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6246 of 2021

Arising Out of PS. Case No.-22 Year-2018 Thana- C.B.I CASE District- Patna

SANJAY KUMAR Son of Gita Prasad Singh R/o Village - Ohari, P.S.-
Nawada, District - Nawada at present SPM, Narhat Block, Nawada.

... .. Petitioner

Versus

Central Bureau of Investigation, Through A.C.B., Patna. Bihar

..... Opposite Party

Appearance :

For the Petitioner	:	Mr. NK Agrawal, Sr. Advocate and Mr. Amresh Kumar Sinha, Advocate
For the CBI	:	Mr. Avnish Kumar Singh, Advocate Mr. Ambar Narain, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 23-08-2022 Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in connection with Special Case No.7 of 2018 arising out of CBI/ACB Patna Case No.RC 22/A of 2018 registered under Sections 13(1)(b) of the Prevention of Corruption Amendment Act, 1988 and Section 109 of the Indian Penal Code.

Prosecution case is that the petitioner, while posted in different capacities under the Head Post Office, Nawada had acquired and is in possessions of the assets, which were disproportionate to his known sources of income. He could not satisfactorily account for the properties acquired between the period June, 2006 and December, 2018. During that period, he had received total income of Rs.29,00,000/- from his salary, Rs.12,00,000/- from agriculture and Rs.3,60,360/- from



mortgage/sale of land. His total saving during that period was of Rs.34,94,360/-. The total asset acquired by him in his name and in the name of his wife was approximately Rs.1,20,27,000/-. He contended that the disproportionate assets have been computed as Rs.85,32,640/-.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He submits that the CBI has wrongly calculated the total asset as Rs.12,02,700/- as it has calculated the price of vehicle taking into new one but same has been purchased second hand as real value which has been paid for the vehicles is total Rs.4,80,437/- in place of Rs.15 lacs. Further, charge sheet has already been submitted and petitioner has through out co-operated in the investigation and he is ready to co-operate in the trial also. Petitioner has got no criminal antecedent.

Learned counsel appearing for the CBI opposes the prayer for bail. He submits that the petitioner misusing his office has amassed huge property disproportionate to his known source of income.

Considering the aforesaid facts of the case as also the fact that charge sheet has already been submitted in the case and the petitioner is not required for custodial interrogation and has



co-operated in the investigation, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner mentioned above be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge III cum Special Judge CBI II, Patna in Spl. Case no.07/2018, CBI/ACB Patna case no. RC22A/2018, subject to the following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

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

(Prabhat Kumar Singh, J)

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