

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9118 of 2023

Arising Out of PS. Case No.-12 Year-2022 Thana- C.B.I CASE District- Patna

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AJIT KUMAR SINHA S/O Late Arun Kumar Sinha R/O Village- Road No-11, Arunoday Bhawan, Kaliket Nagar, Baily Road, P.S- Rupaspur, District- Patna

... .. Petitioner/s

Versus

The C.B.I, A.C.B, Patna through Superintendent of Police Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Kumar Sinha, Adv.
Mr. Ranjeet Patel, Adv.

For the Opposite Party/s : Mr. Avanish Kumar Singh, S.P.P. CBI
Mr Ambar Narayan, Adv.
Mr. Barkha, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 26-06-2023 Heard learned counsel for the petitioner and the

learned counsel appearing for the Central Bureaus of

Investigation.

The petitioner seeks bail in connection with SPL

Case No. 08 of 2022 arising out of R.C. Case No. 12(A) of

2022 registered for the offence under Sections 7 of the P.C.

Act.

The petitioner is alleged to have been apprehended

in a trap with a bribe amount of Rs. 15,0000/-given by the

complainant.

Learned counsel appearing for the petitioner



submits that the petitioner, who is of clean antecedent, is innocent and has falsely been implicated in this case. He further submits that the petitioner happens to be Superintendent Central Taxes and Central Ex. (Audit), Audit Circle, Gaya and the complainant happens to be a business man against whom huge GST dues are running and the same was being supervised by the petitioner. He further submits that when the petitioner raised certain demands and made certain communications for the clearance of GST dues lying against the complainant, a trap was conspired by the complainant on the basis of false and fabricated ground of making demand of Rs. 150000/-. He further submits that the petitioner being the government official has discharged his duties by asking the complainant to pay the dues of GST in order to protect the government exchequer. He further submits that the amount in question is alleged to have been seized from the car of the petitioner not by the exclusive possession of the petitioner which shows that its a case of conspiracy hatched by the complainant against the petitioner. Neither any demand of bribe was made nor the petitioner has accepted any amount rather it has been planted against the petitioner showing the recovery from his



car. He further contends that the petitioner has made the demand of GST which was lying overdue against the complainant firm. The petitioner is rotting in judicial custody since 31.12.2022.

Learned counsel appearing for the C.B.I. vehemently opposed the prayer for bail of this petitioner and submits that the petitioner has been apprehended with the bribe amount of Rs. 150000/- He further submits that recorded conversation of the petitioner with complainant demanding the aforesaid bribe amount proves that the guilt of the petitioner. Charge sheet in this case has been submitted by the CBI vide Charge sheet No. 14 of 2022 dated 29.12.2022 against the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, CBI-II, Patna in connection with SPL Case No. 08 of 2022 arising out of R.C. No. 12(A) of 2022 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 canceled 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)

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