

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12082 of 2023

Arising Out of PS. Case No.-17 Year-2018 Thana- C.B.I CASE District- Patna

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ARJUN DAS SON OF LATE BANARSI DAS R/O 1/2 RAMESHWAR
MALIYA, 1ST BY LANE, HOWRAH (HAORA), P.S.- HOWRAH
(HAORA), DISTT.- HOWRAH, WEST BENGAL- 711101

... .. Petitioner/s

Versus

THE SUPERINTENDENT OF POLICE, C.B.I./ACB/PATA BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prabhu Narayan Sharma

For the Opposite Party/s : Mr.Nivedita Nirvikar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 17-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 34, 120B, 409, 419,
420, 467, 468, 471 of the Indian Penal Code.

Prosecution case relates to Multi Hundred Crore
Srijan Scam. From the perusal of charge sheet it appears that
cheque no. 255902, dated 24.03.2008 of Bank of Baroda for
amount of Rs. 1,43,75,000/- had been issued by the DDC,
Bhagalpur and Director, DRDA, Bhagalpur in favour of Block
Development Officer, Kahalgaon, Bhagalpur. Investigation
further revealed that the said cheque was processed through the
pay in slip no. 95682 dated 31.03.2008 of BOB for amount of



Rs. 2,66,00,000/- filled in the name of Srijan Mahia Vikas Sahyog Samiti Ltd., Sabour and signed by Late Manorma Devi for crediting in the account no. 10020200003002 of Srijan maintained at Main Branch of BOB, Bhagalpur. The maker of the transaction related to above mentioned cheques was petitioner (Arjun Das) and the checker of the above said transaction was A C Ghadai. Investigation revealed that the said cheque no. 255902 was an account payee cheque and it could have been credited only in the account of Block Development Officer, Kahalgaon. But the aforesaid cheque was fraudulently and dishonestly credited in the account of Srijan by petitioner and A. C. Ghadai in connivance with Late Manorma Devi.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. He submitted that the petitioner was initially appointed as Clerk and after promotion posted in the alleged Branch i.e., Bank of Baroda main Branch, Bhagalpur from 30.07.2007 to 09.10.2007, as Junior Officer in scale-I and has performed his duty with all of his sincerity ability and punctually. Thereafter, the petitioner was transferred Kolkata and finally he got retired on 31.10.2021. The petitioner co-operated and participated into the investigation on being



summoned by the CBI on each and every time and appeared without any delay or latches at the requisite place and time as mentioned in the respective summons and the petitioner had nothing to steal/hide from the investigation agency. The entire allegation against the petitioner is completely false and concocted and petitioner has been falsely dragged in this case by CBI without any rhyme and reason. Cognizance of offence has already been taken. He further submitted that the allegation as reflected in the aforesaid paragraph of the charge-sheet no. 6 of 2020, dated 30.04.2020 is false, incorrect and the same is categorically denied, moreover, it is admitted case of the prosecution as reflected in paragraph no. 16(ii) of the aforesaid charge-sheet that there is only temporary misappropriation of Rs. 7,73,59,000/- has been carried out in the said account. The petitioner had fully co-operated with the CBI in conducting their investigation, as such custodial interrogations was neither required nor asked by CBI and the I.O. has chosen to submit charge-sheet i.e., C.S. No. 06/2020 even without being production at the time of submitting charge-sheet before the learned Court below and as such it is submitted that there is no chance either of tempering of evidence or absconding. The trial is in progress in respect of this petitioner. He is languishing in



judicial custody since 30.11.2022.

The application for bail is opposed by learned Spl. P.P.
for the C.B.I.

Having heard learned counsel for the parties and
considering the facts and circumstances of the case, this court is
inclined to enlarge the petitioner on bail. The above named
petitioner is directed to be enlarged on bail on furnishing bail
bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties
of the like amount each to the satisfaction of the learned Special
Judge CBI-II, Patna in connection with C.B.I. Case P.S. Case
No. 17 of 2018.

(Sunil Kumar Panwar, J)

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