IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29840 of 2023

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

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Sanjeev Kumar Son Of Sri Ranjit Singh Mohalla Purandarpur, South Of P.S. Jakkanpur, Post Gpo, P.S. Jakkanpur, District Patna.

... ... Petitioner/s

Versus

The State Through Central Bureau of Investigation Bihar.

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sunil Kumar Singh
For the Opposite Party/s : Mr. Nivedita Nirvikar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 20-09-2023 Heard learned counsel for the petitioner and learned counsel on behalf of the Central Bureau of Investigation (hereinafter referred to as the 'C.B.I.').

2. The petitioner has prayed for regular bail in a case instituted for the offence under Sections 419, 420, 467, 468, 471, 409, 120B/34 of the Indian Penal Code and Sections 13(2) read with Sections 13(1)(c)(d) of the P.C. Act.

3. It is alleged against the petitioner is that he was posted as Assistant Branch Manager in Indian Bank, Branch Patal Babu Road, Bhagalpur in collusion with the bank officials and office bearers of Srijan Mahila Vikas Sewa Samiti Limited (hereinafter referred to as the 'SMVSSL') had diverted the funds of DDC to the account of SMVSSL. During investigation, it reveals that during his posting in DDC office, he had issued

cheque book containing cheques bearing serial No. 741776 to 741800 in the name of DDC, Bhagalpur on 15.01.2008 amounting Rs. 20,44,43,100/- were issued in the name of DDC and were diverted in the SMVSSL account maintained with Bank of Baroda and Indian Bank, Bhagalpur.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. Petitioner is not named in the FIR and during course of investigation, the name of the petitioner has come into light. He submitted that petitioner was posted as Assistant Branch Manger, in Indian Bank, Branch Patal Babu Road, Bhagalpur during the period 19.09.2007 to 20.02.2008. The petitioner during his posting as Assistant Branch Manager in the said Branch had performed the duty of checker apart from other duties. He submitted that the petitioner is not the beneficiary of the alleged transaction. The C.B.I. has miserably failed to collect any evidence against the petitioner so as to connect the petitioner with the alleged transaction. The C.B.I. during course of investigation of the present case had also searched and verified assets of the petitioner which were not found in excess of the known source of income of the petitioner. The charge-sheet has already been submitted against the

petitioner. Further, it is submitted that the other co-accused has already been granted bail by this Bench vide order dated 25.07.2023 passed in Cr.Misc. No. 17204 of 2023. He is languishing in judicial custody since 15.09.2022.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, 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 Court below in connection with C.B.I. Case P.S. Case No. 07 of 2018.

(Sunil Kumar Panwar, J)

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