

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28488 of 2022

Arising Out of PS. Case No.-2 Year-2021 Thana- C.B.I CASE District- Patna

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RANJAY KUMAR S/o Late Chhotan Lal Thakur Resident of Jhunjhunbala
Road, Danapur Cant, P.S.- Danapur, Dstrict- Patna.

... .. Petitioner/s

Versus

The Central Bureau of Investigation, Bihar, Patna. Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prafull Chandra Jha, Advocate

For the Opposite Party/s : Mr. Avanish Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

5 08-02-2023 Heard the parties.

The petitioner apprehends his arrest in connection with Special Case No. 3 of 2021 arising out of RC Case No. 02(A) of 2021 for the offence registered under Sections 120B, 409, 420, 467, 468, 471 and 477A of the Indian Penal Code and Section Section 13(2) (a) read with 13(i)(a) of the Prevention of Corruption Act, 1988.

As per the prosecution story, the allegation is of misappropriation of money by the accused persons between the period 2017-2019 while posted at Lal Bahadur Shastri Nagar Post Office, Patna.

In this case, the petitioner was posted at Lal Bahadur



Shastri Nagar Post Office, Patna between the period 05.12.2017 to 08.01.2018 and during that period allegation against him is that he misappropriated Rs.3,95,000/-.

By way of supplementary affidavit, it has been brought on record that without accepting the allegation, the petitioner has deposited Rs.3,95,000/- to the Bankipur Post Office under which the Lal Bahadur Shastri Nagar Post Office function's on 01.02.2023 and (Annexure-3/1) a copy of which has already been served upon opposite party.

Learned counsel for the CBI submits that the petitioner during the period, he was posted at Lal Bahadur Shastri Nagar Post Office misappropriated the aforesaid amount and as such does not deserve relief.

To this learned counsel for the petitioner submits that similarly placed co-accused Kumari Poonam deposited the alleged amount and vide Cr. Misc. No.25348/2022 she was granted the relief.

Let the copy of the said order be kept on record.

Taking into account the aforesaid facts as also that the misappropriated amount as alleged against him has been deposited by him, case lodged, ultimately he will face the trial, this Court is inclined to grant him privilege of bail.



Let the petitioner be released on bail, in the event of his arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each in connection with Special Case No. 3 of 2021 arising out of RC Case No. 02(A) of 2021 to the satisfaction of learned Special Judge, CBI, IInd, Patna, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions that:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty



to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Prakash Narayan /-

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