

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38630 of 2023

Arising Out of PS. Case No.-2 Year-2019 Thana- C.B.I CASE - TR District- Patna

SAURABH KUMAR Son of Ravindra Prasad @ Ravindra Kumar R/o
Kailashpuri Road no. 2, Hanuman Nagar, Kankarbag, P.S. - Patrakar Nagar,
Distt. - Patna

... .. Petitioner/s

Versus

1. The Central Bureau of Investigation Bihar
2. The General Manager, Union Bank, Mumbai Mumbai
3. The Deputy General Manager, Union Bank, Patna Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rina Sinha, Adv.
For the Opposite Party/s : Mr.Nivedita Nirvikar, APP.
Mr. Shivendra Kumar, Adv.
Mr. Shivendra Kumar Roy, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-08-2023 Heard learned counsel for the petitioner, learned senior
counsel for C.B.I. and learned counsel for the Corporation
Bank, Zonal Office, Patna.

2. The petitioner apprehends his arrest in a case registered
for the offence punishable under Section 120B, 420, 467, 468
and 471 of the Indian Penal Code.

3. As per the prosecution case, Rs. 4.44 crores were
withdrawn on the basis of forged and fabricated documents from
Corporation Bank, Kankarbagh Branch, Patna in the name of 23
different firms.

4. Learned counsel for the petitioner submits that the



petitioner is quite innocent and has been falsely implicated in this case. He is not named in the FIR. It is further submitted that petitioner was selected for the course of Chartered Accountants by Institute of Chartered Accountants of India in 2011 and then he started studying in that institution. He further submits that at the time of alleged date and time of occurrence, the petitioner was student of Intermediate of C.A. and during his course, he attended the office of various Chartered Accountants as an intern. He was learning the accountancy in the office of one Vijay Kumar Yadav. Petitioner is not an employee of the said bank. Petitioner, being an intern, as per the order of Vijay Kumar Yadav, used to visit respective bank to collect the details. Except this, he has no concern with the alleged offences. He further submits that during the investigation, the petitioner has given his full cooperation to the investigating authority during the investigation. After the investigation, C.B.I. has filed the charge-sheet. C.B.I. has not required custodian interrogation of the petitioner during investigation. He relies upon the judgment of the Hon'ble Apex Court passed in the case of '*Mahdoom Bava versus Central Bureau of Investigation*' reported in 2023 SCC OnLine SC 299 and in the case of '*Satender Kumar Antil versus Central Bureau of Investigation and another*' reported



in (2022) 10 SCC 51. Similarly situated co-accused has been granted bail by this Court vide order dated 22.06.2023 in Cr. Misc. No. 7415 of 2023. Petitioner has one criminal antecedent.

5. Learned counsel for the C.B.I. as well as learned counsel for the concerned Bank opposed the prayer for bail and submits that petitioner is also involved in the present case.

6. Having regard to the facts and circumstances of the case and considering the arguments of the parties, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Ranchi C.B.I./EOW Case No. RC-2(S) of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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