

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55547 of 2023

Arising Out of PS. Case No.-9 Year-2018 Thana- C.B.I CASE - TR District- Patna

Vijay Kumar Yadav @ Vijay Yadav Son of Dillo Gope R/O-19, Peace Road,
Lalpur, Behind Aashish Girls Hostel, Ranchi, Presently Residing At Phase-I,
Laxmi Vihar, Roorkee, P.S.-Roorkee, Distt.-Roorkee (Uttarakhand)

... .. Petitioner/s

Versus

Central Bureau of Investigation Patna, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Abinash Kumar, Advocate

For the C.B.I. : Mr. Nivedita Nirvikar, Sr. Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-08-2023 Heard learned counsel for the petitioner and learned
Senior counsel for the C.B.I.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 420, 467, 468 and 471 of the Indian Penal Code but after investigation charge sheet has been submitted under Section 120B read with Sections 420, 468 and 471 of the Indian Penal Code and Section 13 (1) (a) of the P.C. Act, 1988.

3. The allegation against the petitioner is that he, being a partner of M/s Ram Shankar Associates, a Chartered Accountant firm, has dishonestly and fraudulently prepared forged/fake financial statements under the seal of the firm which were utilized by accused persons for sanction and disbursement of loans from Corporation Bank, Raja Bazar



Branch, Patna.

4. It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case. It is further submitted that the involvement of the petitioner in the alleged occurrence does not whisper in the FIR as well as charge-sheet nor the petitioner has played any role in sanction of the alleged loan to any alleged loanee. It is further submitted that during course of investigation, the petitioner has fully cooperated and after investigation the C.B.I. has submitted its charge-sheet but no specific overt act has been attributed against this petitioner rather the allegation levelled against the petitioner is general and omnibus in nature. It is further submitted that almost three similarly situated co-accused have been granted the privilege of anticipatory bail by this Court. Learned counsel for the petitioner also placed reliance in the case of **Mahdoom Bava Vs. Central Bureau of Investigation** reported in **2023 SCC Online 299** and in the case of **Satender Kuma Antil Vs. Central Bureau of Investigation and another** reported in **(2022) 10 SCC 51**. The petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned senior counsel for the C.B.I. opposed the prayer



for bail.

6. Having regard to the facts and circumstances of the case, 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 Court below where the case is pending/successor Court in connection with Special Case No.1 of 2021, arising out R.C. Case No.9(s)/18, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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