

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62549 of 2022

Arising Out of PS. Case No.-8 Year-2020 Thana- C.B.I CASE District- Patna

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SAILESH KUMAR MUKUL @ DR. SAILESH KUMAR MUKUL Son of
Dr. Radha Sharan Singh R/o Mohalla- Gaushala Road, Siwan, P.O- Siwan,
P.S- Siwan, Dist- Siwan, Bihar, presently residing at Type- 4, Block- 1, House
No. 107, AIIMS Residential Complex, Hydraulic Road, P.S- Phulwarisharif,
Dist- patna, Bihar

... .. Petitioner/s

Versus

The State of Bihar Through Central Bureau of Investigation, Anti-Corruption
Branch, Patna Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hemant Kumar
For the Opposite Party/s : Mr. Nivedita Nirvikar

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

6 29-03-2023 Heard the learned senior counsel for the petitioner
and learned counsel for the CBI Mr. Awnish Kumar Singh.

The petitioner seeks anticipatory bail in connection
with FIR No. RC0232020A0008 dated 25.08.2020 registered for
the offence under Section 120B of the Indian Penal Code.

A very short argument has been made by the learned
senior counsel for the petitioner keeping in view the law laid
down by the Hon'ble Supreme Court in the case of *Satendra
Kumar Antil Vs. CBI 2022 SCC OnLine SC 825*. The learned
counsel has submitted that the petitioner has cooperated in
investigation with the CBI. Whenever he was called by the CBI



he had appeared and there is no complaint against the petitioner that he had tried to tamper with the evidence and the CBI has not arrested him during investigation.

Learned counsel for the CBI has submitted that the petitioner has cooperated in investigation and has been charge-sheeted and the allegations are serious in nature and in that view of the matter the petitioner does not deserve anticipatory bail.

Considering the submission of both the parties and considering the law down by the Hon'ble Supreme Court in the Case of *Satendra Kumar Antil Vs. CBI 2022 SCC OnLine SC 825* and also considering the fact that the petitioner has cooperated in the investigation and there is no allegation against the petitioner of tampering with the evidence and he is ready to cooperate in the trial, this application is allowed.

Let the petitioner, above named, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge CBI, Court No. III, Patna in connection with FIR No. RC0232020A0008.

The petitioner is also directed not to unnecessarily involve himself in further litigation with the Director, Doctors and other Officials of AIIMS Patna.



The SHO, Phulwarisharif Police Station is directed not to register any case filed by the petitioner against the Director, Doctors and other Officials of AIIMS Patna without a preliminary enquiry/preliminary investigation.

(Sandeep Kumar, J)

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