

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1544 of 2023

Arising Out of PS. Case No.-14 Year-2017 Thana- C.B.I CASE District- Patna

KARRA PARASU RAMAIAH Son of Late Karra Naraiah Resident of Ward
No. 25-10/325, Vedayapalem Nellore- 524004 Andhra Pradesh

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Central Bureau of Investigation, CBI, ACU- V, AC- ii, through the
Superintendent of Police CGO Complex, Lodhi Road, New Delhi- 110003
... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Alok Kumar Jha, Advocate
For the State	:	Mr.Ajay Mishra, A.P.P.
For the C.B.I.	:	Mr.Avanish Kumar Singh, Spl.P.P, CBI
		Mr.Ambar Narayan, Advocate
		Mrs.Barkha, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 3 12-05-2023 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned Special P.P. for C.B.I.

The petitioner apprehends his arrest in a case punishable for the offence punishable under Sections 409, 420, 467, 468, 471, 120B and 34 of the Indian Penal Code as well as u/s 13(2) read with 13(1)(d) of Prevention of Corruption Act.

The case relates to illegal transfer and misuse of funds from Government bank accounts in Bhagalpur and Saharsa in fraudulent and conspiratorial manner. An inquiry pertaining to different accounts of District Nazarat, Bhagalpur maintained with Bank of Baroda, RP Road Ghantaghar, Bhagalpur and Indian Bank, Patel Babu Road, Bhagalpur was conducted and the inspecting team has submitted its report. In the said report,



the submission contains fraudulent deception, financial irregularities and misappropriation of Government funds. This petitioner is alleged to have played significant role in diversion of government funds from the accounts of DM, Bhagalpur to Srijan Mahila Vikas Sahyog Samiti Limited (hereinafter referred to as “SMVSSL”).

Learned counsel appearing for the petitioner submits that petitioner, at the relevant time, was posted as District Magistrate, Bhagalpur and he is alleged to have signed two cheques, which were approved by the then Nazarat Deputy Collector Bijay Kumar, who has already been granted anticipatory bail by a coordinate Bench of this Court, vide order dated 27.04.2023 passed in Cr.Misc. No. 57582 of 2022. Learned counsel for the petitioner further submits that in the case, chargesheet has already been submitted. There is no allegation of tampering with the evidence against this petitioner. Custodial interrogation is not required.

Learned Special P.P. for C.B.I. vehemently opposes the prayer for anticipatory bail and submits that petitioner has abused his position as District Magistrate and has played a significant role in the larger criminal conspiracy for diversion of government funds from the accounts of D.M., Bhagalpur to the



account of S.M.V.S.S.L. (Srijan Mahila Vikas Sahyog Samiti Limited). The accused petitioner was *prima facie* the architect of the criminal conspiracy. The accused petitioner alongwith other co-accused persons i.e. Shri Bijay Kumar, the then Nazarat Deputy Collector and Shri Sanath Kumar Jha the then Branch Manager Indian Bank, Bhagalpur and different office bearers of SMVSSL have illegally and fraudulently diverted the government fund from the District Magistrate, Bhagalpur to the account of SMVSSL. He further submits that during investigation, it has come that petitioner had issued cheque no. 241602 dated 16.02.2004 of Indian Bank, Bhagalpur in favour of SMVSSL account no. SB7442 for Rs. One Crore which was transferred by officials of Indian Bank, Bhagalpur on the directions of Sanath Kumar Jha, the then Branch Manager, Indian Bank, Bhagalpur to the account of SMVSSL. During investigation, it has also come that petitioner had issued cheque no. 8226 dated 29.05.2004 of Rs. 3.5 crores from the bank account of illegally operated bank of Srijan in favour of DLAO Bhagalpur but the payment for the said cheque never realized in the account of DLAO Bhagalpur. Accordingly, he requests before this Court that favourable order may not be passed in favour of petitioner.



However, considering the fact that in this case, chargesheet has already been submitted and there is no allegation of tampering with the evidence against this petitioner and custodial interrogation is not required, let the petitioner, above named, in the event of arrest / surrender before the learned Court below within a period of six weeks from the date of receipt/production of copy of this order, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, C.B.I.-II, Patna in connection with Special Case No. 12 of 2020, arising out of R.C. Case No. 14(A) of 2017, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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