IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11113 of 2024

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

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Rajni Priya W/o Late Amit Kumar R/o - 103, Brahman Tola, P.S.- Sabaur, Vill- Sabaur, Anchal - Sabaur, Bhagalpur, Bihar, PIN - 813210

... ... Petitioner/s

Versus

The State Through Central Bureau Of Investigation Bihar

... ... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Avinash Kumar, Adv.
For the Opposite Party/s : Mrs. Nivedita Nirvikar, Sr. Adv.
Ms. Surabhi Nirmal, Adv.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioner and learned counsel for the CBI.

2. The petitioner seeks regular bail in connection with R.C. Case No. 14(A)/2017 corresponding to Special Case No. 12/2020, lodged on 25.08.2017 under Sections 34, 120(B), 409, 420, 467, 468, 471 of the Indian Penal Code and sections 13(2) & 13(1)(c) & (d) of Prevention of Corruption Act, 1988.

3. As per the prosecution case, the FIR has been lodged against the bank namely, Bank of Baroda and Indian Bank with their Branch Manager as well as against the officials of *Srijan Mahila Vikas Sahyog Samiti* Limited (hereinafter referred to as '*Srijan*') against whom there are allegations that they have made illegal transactions of Rs. 83,80,00,000/- with

the help of Indian Bank, Bhagalpur bearing A/c No.548672141; Rs.5,71,00,000/- with the help of Bank of Baroda, Bhagalpur bearing A/c No.10010100003622 and total about Rs.10 crores with the help of Bank of Baroda bearing A/c No.10010100012588. It has been alleged that the said transaction of money has not been available in the account statement of the bank, whereas, those money amounting to Rs.83,80,00,000/- has been illegally transferred in the account of *Srijan* and due to this reason, the FIR has been lodged. With this allegation, the FIR has been lodged by the Government officials initially being Bhagalpur Kotwali P.S. Case No.505 of 2017 dated 10.08.2017, but subsequently, the Central Bureau of Investigation, Delhi has started investigation in this case and registered it before CBI as R.C. Case No. 14(A)/2017 which was subsequently, recorded in Special case No.12/2020, lodged on 25.08.2017 under Sections 34, 120(B), 409, 420, 467, 468, 471 of the Indian Penal Code and sections 13(2) & 13(1)(c) & (d) of Prevention of Corruption Act, 1988.

4. Learned counsel for the petitioner submits that the present petitioner is the daughter in law of the earlier Secretary of the *Srijan* namely Manorama Devi and after her death, the petitioner was appointed only on 13.02.2017 after death of

Manorama Devi and she has been unnecessarily been made accused in this case with a view to harass. Counsel further submits that the antecedent of the petitioner is clean and she is in custody since 11.08.2023.

5. Learned counsel for the CBI on the other hand vehemently opposes the prayer for bail of the petitioner and submits that the transaction of the public money has been caused at the instance of *Srijan* and the said money has been transferred by the banks in the account of the *Srijan*. Counsel also submits that there are in total 7-8 cases pending against the petitioner and therefore, the statement of the petitioner made in paragraph no.3 of the bail application is basically a false statement with a view to take benefit from this Court. Counsel further submits that the details of pending of cases against the present petitioner transpires from page no.32 of the petition in which the notification issued by the Additional Secretary to Government bearing Memo No. 6715 dated 18.08.2017 by which it is clear that there are more cases than one pending against the petitioner and others those who are related with *Srijan* and as such, this false statement has been made by the petitioner.

6. Learned counsel for the CBI further submits that

the defence taken by the petitioner that she has joined the post of Secretary on 13.02.2017 onwards till date of filing of the FIR. Counsel submits that from running page no.40 of the petition, it becomes crystal clear that transactions also takes place after 13.02.2017 and therefore, the saying of the petitioner that there is no involvement in this case cannot be accepted.

7. In light of the submissions made by the parties, this Court is not inclined to grant bail to the petitioner.

8. Accordingly, the prayer for regular bail of the petitioner in connection with R.C. Case No. 14(A)/2017 corresponding to Special Case No. 12/2020, pending before the learned Special Judge, CBI-II, Patna is **hereby rejected.**

(Dr. Anshuman, J.)

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