

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18016 of 2023

Arising Out of PS. Case No.-10 Year-2017 Thana- C.B.I CASE District- Patna

Rohan Yadav Son Of Late Baleshwar Yadav R/O Vill.- Nijamat, P.S.-
Dhanarua, Distt.9- Patna

... .. Petitioner/S

Versus

The Central Bureau Of Investigation, Patna Division, Patna, Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Shanker Pankaj
For the CBI : Mr. Saurendra Pandey, Spl PP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

7 18-01-2024 Heard learned counsel for the petitioner and learned
counsel for the C.B.I.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 120B, 420, 468, 471 of the Indian Penal Code.

3. The prosecution case, in brief, is the petitioner along with other accused persons under a well designed criminal conspiracy, managed to secure bail of the petitioner in Cr. Misc. No. 11232 of 2015 on the basis of forged and fabricated copies of FIR, Vakalatnama and impugned order and also by suppressing and manipulating of facts.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has



falsely been implicated in this case. It is submitted vide para 13 & 14 of the supplementary affidavit that the allegation of manipulation of records for securing bail leveled against the petitioner is in connection with Dhanarua P.S. Case No. 266 of 2012, in that case, the application of grant of bail of the petitioner has already been allowed by order dt. 9.8.2023 passed in Cr. Misc. No. 38332 of 2023. It is further submitted that the petitioner is languishing in judicial custody 13.9.2021. Other co-accused Shakesh Kumar was enlarged on bail granted by a co-ordinate Bench of this Court vide order dt. 13.8.2021 passed in Cr. Misc. No. 8859 of 2021.

5. Learned counsel on behalf of CBI has opposed the prayer of bail.

6. In pursuance to the direction of this Court, a report dt. 9.11.2023 with regard to present stage of trial has been received by which it appears that the trial is likely to be concluded within one year.

7. It is further submitted by learned counsel for the petitioner that there is no hope to conclude the trial in near future.

8. Having heard learned counsel for the parties and considering the period of custody, this court is inclined to



enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with CBI Case i.e RC Case No. 10(A) of 2017 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Magistrate, CBI, Patna subject to following conditions:

(i) the petitioner shall co-operate in the trial and shall be present on each and every fixed date and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(ii) In case, the petitioner repeats offence of similar nature after enlargement on bail, his bail bonds will be cancelled by the Court below.

(iii) If the petitioner is found involved in tempering with the evidence or interfering with course of trial, his bail bonds will be cancelled by court below.

(Sunil Kumar Panwar, J)

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