

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20847 of 2024

Arising Out of PS. Case No.-4 Year-2015 Thana- C.B.I CASE District- Patna

Manish Kumar S/o Kanhaiya Prasad Singh @ Kanhaiya Singh R/o Vill
- Jaga Pakar, P.S. - Harsidhi, Dist. - East Champaran

... .. Petitioner

Versus

The Union of India (Through C.B.I.) Patna, Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr.Vishwajeet Kumar Mishra, Advocate Mr.Aakash Choudhary, Advocate
For the Opp. Party	:	Mrs.Nivedita Nirvikar, Sr. Advocate Mr.Sourendra Pandey, Spl.PP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 05-07-2024 Heard learned counsel appearing on behalf of the

petitioner, learned Special P.P. for the State.

2. The petitioner seeks bail in connection with

CBI/ACB/Patna/2015 RC02320 15A 004 of 2015 registered

for the offence under Sections 120B, 420, 467, 468 and

471 of the Indian Penal Code and Section 13(2) and 13(1)

(d) of the Prevention of Corruption Act, 1988.

3. The accused/petitioner is named in the F.I.R.

and is in custody since 04.01.2024.

4. Earlier, anticipatory bail of the petitioner was

rejected by a learned coordinate Bench of this Court vide

order dated 14.11.2017 passed in Cr. Misc. No. 48772 of



2017 with an observation that the petitioner may appear before the court below and make prayer for regular bail.

5. The allegation against the petitioner is to obtain appointment on the basis of forged certificate of Bihar Sanskrit Shiksha Board, Patna along with other co-accused persons.

6. Learned counsel appearing on behalf of the petitioner submitted that petitioner has been falsely implicated in this case as he was not aware that his madhyama certificate was a forged one. Learned counsel submitted that petitioner is suffering from multiple disease and he is only earning member of his family. Learned counsel further submitted that charge-sheet has already been submitted in this case and further petitioner undertakes to cooperate in course of trial on day to day by basis providing all necessary papers and will not tamper with the evidences.

7. Learned counsel appearing on behalf of the department raised only objection that this petitioner in furtherance of aforesaid order as passed in Cr. Misc. No.



48772/2017 dated 14.11.2017 surrendered before the learned trial court after six years.

8. In view of the aforesaid submissions of the parties, where petitioner is in custody since 04.01.2024 coupled with the fact that charge-sheet has already submitted, accordingly, petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, C.B.I., Muzaffarpur/concerned Court in connection with CBI/ACB /Patna/2015 RC02320 15A 004 of 2015, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C. and further condition that:

(i) That petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which, the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and



every date before the Trial Court till conclusion
of the trial and exemption from physical
appearance be allowed by the Trial Court, only
on medical ground of the petitioner duly
supported by the documents.

(Chandra Shekhar Jha, J.)

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