

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62034 of 2023

Arising Out of PS. Case No.-2 Year-2016 Thana- C.B.I CASE District- Patna

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Nagina Rai @ Nagina Ray @ Nagina Yadav Son Of Late Chulhai Rai
Resident Of Surabhi Vihar, Near Sahara Sandhya Hospital, Opposite
Jakkanpur Bus Stand, P.S. - Beur, District - Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Priyanka Singh

For the Opposite Party/s : Mr.Vinod Shanker Modi

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 02-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner has prayed for bail in connection with Special Case No. 06 of 2019 (R.C. No. 02 of 2016) in a case instituted for the offence under Sections 120B, 420, 467, 468 and 471 of the Indian Penal Code.

3. As per allegation in the FIR, earlier bail petition of the petitioner was rejected by different Bench of this Court. Thereafter petitioner filed another Criminal Miscellaneous No. 4198 of 2016 before this Court, suppressing the fact of filing of previous bail



petition as well as its rejection order and petitioner was granted bail on 25.02.2016 on the basis of fabrication made in the FIR. When the matter came into light to this Court, an order was passed regarding registration of FIR by CBI after conducting internal inquiry and thereafter, FIR vide RC no. 02(S)2016 was registered against the petitioner.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. It was not the petitioner, who had sworn affidavit in the said case rather the person who sworn the affidavit was someone else, as at that time petitioner was behind the bar and the same fact is asserted in para 12 of the petition. The present case was instituted in the year 2016 and is pending for last seven years. Petitioner is languishing in judicial custody since 14.04.2023.

5. The application for bail is opposed by learned APP for the State and submitted that petitioner secured bail by playing fraud and suppressing the fact. He has tried to mislead the Court.



6. Having heard the learned counsel for the parties and considering the fact that petitioner has tried to mislead the Court by suppressing the fact and placed fabricated document before the Court, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

(Sunil Kumar Panwar, J)

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