

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77826 of 2023

Arising Out of PS. Case No.-6 Year-2015 Thana- C.B.I CASE District- Patna

Priyadarshi Son Of Late Yogendra Prasad Resident Of Mohalla - Chitragupt
Nagar, Bazidpur, P.S. - Barh, Distret - Patna, Bihar 803213

... .. Petitioner/s

Versus

The State Through Central Bureau Of Investigation

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saket Kumar, Advocate

For the Opposite Party/s : Ms. Surbhi Nirmal, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 19-03-2024 Heard learned counsel for the petitioner and learned
counsel for the Central Bureau of Investigation.

2. The petitioner seeks regular bail in connection with
R.C. Case No.06(s) of 2015, arising out of FIR
No.RC0922015S0006, lodged on 24.11.2015, under Sections
120B/193/420/468/471 of the Indian Penal Code and under
Sections 13(2) read with 13(1)(d) of the P.C. Act, 1988.

3. As per the prosecution, the allegation against the
petitioner that he has wrongly identified the accused persons on
affidavit which is basically a non-existing person.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
submits the the petitioner is in custody since 25.07.2023 having
no criminal antecedent. Counsel submits that the petitioner has



become accused in this case only due to his faith casted upon his colleague, who is the advocate clerk in this case of the counsel who filed the said case, namely, Saket Kumar. Counsel submits that in the charge sheet it has come that the said co-accused Saket Kumar has been granted bail as mentioned in the charge sheet. From the slip attached, it transpires that co-accused Meera Upadhyay, Ashish Kumar, Nutan Choudhary, Sharwan Kumar Choudhary, Sri Prakash Singh and Vikash Kumar have been allowed regular as well as anticipatory bail by different co-ordinate Benches of this Court passed in Cr. Misc. No.24831 of 2017 dated 12.05.2017, Cr. Misc. No.28600 of 2017 dated 25.05.2017, Cr. Misc. No.35933 of 2017 dated 17.07.2017, Cr. Misc. No.58614 of 2017 dated 16.10.2017, Cr. Misc. No.7902 of 2023 dated 04.01.2023 and Cr. Misc. No.58047 of 2023 dated 10.08.2023 respectively.

5. Learned counsel for the CBI opposes the prayer for bail and submits that the present petitioner is the person who has identified the signature of a non-existing person and there is direct involvement of the present petitioner in this case and his case is different from other co-accused persons.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above



named, be granted bail **only after framing of the charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, CBI-II, Patna, in connection with Special Case No.16 of 2020/R.C. No.06(s) of 2015, arising out of FIR No.RC0922015S0006, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other following conditions:

(i) One of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) The petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) The petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) The petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) The petitioner shall desist from committing any



criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J)

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