IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17418 of 2025

Arising Out of PS. Case No.-17 Year-2017 Thana- C.B.I CASE District- Patna

==

Satish Kumar Jha @ Satish Jha S/O Late Kameshwar Jha R/o A101, Permanent Resident- Village and Post- Chainpur, Thana- Bangaon, District- Saharsa, Pin Code- 852202, Also Resides at - Anugvihar Apartment, Rani Talab, Sabaur Road, P.O- Fatehpur , P.S- Zero Mile, Bhagalpur, Distt.- Bhagalpur, Bihar, Pin Code- 813210.

... ... Petitioner/s

Versus

1. The Central Bureau of Investigation, Patna. Bihar
2. The State of Bihar Bihar

... ... Opposite Party/s

==

Appearance :
For the Petitioner/s : Mr. Madhukar Mohan, Adv.
For the Opposite Party/s : Mrs. Nivedita Nirvikar, Sr. Adv.
Mr. Arya Achint, Adv.

==

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-04-2025 Heard Mr. Madhukar Mohan, learned counsel for the petitioner and learned Mrs. Nivedita Nirvikar, Senior Counsel for the C.B.I assisted by Mr. Arya Achint, Advocate.

2. The petitioner seeks bail in a case registered for the offence punishable u/s 120B, 34, 409, 419, 420, 467, 468 and 471 IPC and 13(2) r/w section 13(1)(d) of the Prevention of Corruption (P.C.) Act, 1988.

3. This case arises from infamous Srijan Scam. The petitioner in connivance with office bearers of Srijan Mahila Vikas Sahyog Samiti Limited (hereinafter for the sake of brevity referred to as ‘SMVSSL’) and others is said to have fraudulently

WEB COPY

misappropriated the fund of Mukhyamantri Gramodyay Yojna, 13th Finance Commission, 4th State Finance Commission, BRGF (General) 5th Finance Commission remitted through Govt. Account payee cheque issued in favour of the concerned authority by deliberately and dishonestly depositing and crediting the cheque in the Bank Account of Srijan. Hence, in collusion of Bank of Baroda, Bhagalpur & Indian Bank, Bhagalpur with Srijan (SMVSSL) have cheated the Govt. administration of such basis.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged has ever taken place. He is not named in the F.I.R. and has been falsely implicated in this case. He has been languishing in judicial custody since 18.12.2024. He has got six criminal antecedents as stated in para-3 of the bail application. It is submitted that no specific allegation has been found against the petitioner. He is not said to be a beneficiary in the entire happenings as during the course of investigation, not a single penny has been seized/recovered from the account of the petitioner or from any other source. There is no specific involvement of the petitioner in defalcation of public fund. The only allegation mentioned in the charge sheet is that

WEB COPY

the said ‘pay in slip’ or ‘depositing slip’ has been written by the petitioner but neither signature over the pay in slip nor any proof could be find out by the prosecution during investigation. It is further submitted that the flats in question were purchased by the children of the petitioner, who are major, working and self dependent. Petitioner was also rendering his service on good post and was in a position to purchase flats. It is submitted that petitioner is retired and suffering from many diseases. He further submits that some of the co-accused in connection with the Srijan Scam Case have been granted anticipatory bail by co-ordinate Bench of this Court. It is lastly submitted that earlier vide order dated 29.03.2023 passed in Cr. Misc. No. 34032 of 2022, the prayer for anticipatory bail of the petitioner was considered and this Court was pleased to grant him the privilege of anticipatory bail in this case, but despite the privilege of anticipatory bail, the petitioner could not appear/surrender before the learned Court below due to his poor health condition and meanwhile, he was apprehended by the police.

5. Learned Senior Counsel for the C.B.I. opposes the bail application and submits that the petitioner is one of the main conspirators of Srijan Scam cases. He was very close to late Manorma Devi and played a vital role in the diversion of funds

WEB COPY

from the accounts of DDC cum CEO to the account of SMVSSL.

6. Considering the submissions made, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Special Case No. 14/2020, RC Case No-17/A/2017.

7. Petitioner is directed to cooperate in the trial. If the petitioner fails to appear before the learned Court below on two consecutive dates fixed in the case, the prosecution will be at liberty to file an application for cancellation of bail bond of the petitioner before the learned Court below.

(Anjani Kumar Sharan, J)

divyanshi/-

U		T	

WEB COPY