IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25424 of 2025

Arising Out of PS. Case No.-5 Year-2018 Thana- C.B.I CASE District- Patna

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Satish Kumar Jha @ Satish Jha, Male, aged about 69 years, S/o Late Kameshwar Jha, R/o- A-101, Permanent Resident- Village + 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.

... ... Petitioner/s

Versus

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

... ... Opposite Parties

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Appearance :

For the Petitioner	:	Mr. Anshul, Advocate and Mr. Madhukar Mohan, Advocate
For the U.O.I., C.B.I.	:	Mr. Dr. K. N. Singh, Sr. Advocate (ASG), Mr. Manoj Kumar Singh, C.B.I. Advocate, and Mr. Ankit Kumar Singh, (J.C.), Advocate

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 15-07-2025 Learned counsel for the petitioner is permitted to make necessary correction in the prayer portion of the present bail petition.

2. Heard learned counsel for the petitioner and learned counsel for the C.B.I.

3. The petitioner seeks bail in connection with C.B.I., Special Case No. 01/2021, bearing RC Case No. 05/A/2018 dated 12.06.2018 registered for the offences punishable under Sections 120B, 409, 420, 467, 468, 471 of the I.P.C. and Sections 13(2) read with Sections 13(1)(c) and (d) of the P.C.

Act, 1988.

4. As per the prosecution case, in a conspiracy by the accused persons including the petitioner, various large amounts belonging to government was illegally transferred to the accounts of ‘Srijan Mahila Vikas Sahyog Samiti’ (SMVSSL). It is further alleged that when the petitioner was posted in the Corporate Department, Government of Bihar, he filled several deposits on different dates and got huge amount of approximately 31.5 Crores transferred in the account of SMVSSL. It is further alleged that the petitioner also booked two flats in Gardenia in the name of his son and daughter respectively and payments towards those flats were made from the SMVSSL to the builders. Likewise, one flat was in the name of his brother-in-law at Pune was also paid by SMVSSL.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that initially the petitioner is not named in the F.I.R. and his name has surfaced in the present case during the course of investigation. It is further submitted that from perusal of the charge sheet, it appears that no specific allegation has been alleged against the petitioner and during the course of investigation, the prosecution has failed to establish

any specific allegation against the petitioner but in a mechanical manner, the name of the petitioner has been dragged in the present case. It is further submitted that as per the charge sheet, it is alleged that the petitioner has filled the deposit slip by his own hand which is without any substance. It is further submitted that the petitioner being the person of unimpeachable character during his entire service record and had no complaint against him. Basically, he has been made scapegoat in this matter at the behest of certain persons who are not in good terms with the petitioner. It is further submitted that the petitioner is not the beneficiary in the present case as no any amount has been recovered from his possession or claim of any disproportionate assets could be substantiated. It is further submitted that in the learned court below, it was stated by the learned Spl. P.P., C.B.I.-II, that the petitioner was declared proclaimed offender in another case of SRIJAN but it is submitted that the petitioner against the order of proclamation, he had already approached the Hon’ble Court in Cr. Misc. No. 38189 of 2024 and the Hon’ble Court has been pleased to pass the stay order on the processes issued against the petitioner under Sections 82 and 83 of the Cr.P.C. It is further submitted that the petitioner is aged about 70 years old and he alongwith his wife are suffering from several ailments. It is further submitted that the petitioner has already been granted anticipatory bail by the Co-ordinate Bench of this Court in Cr. Misc. No. 56515 of 2022 vide order dated 20.03.2023 but due to his and his wife ill health, he could not surrender before the learned court below, annexed as Annexure-P/7 to the present bail petition. It is submitted that the other co-accused persons, namely, Navin Kumar Saha @ Nabin Kumar Saha in Cr. Misc. No. 59791 of 2021 vide order dated 25.02.2022, Sant Kumar Sinha in Cr. Misc. No. 44486 of 2021 vide order dated 22.01.2022, Sarita Jha in Cr. Misc. No. 8435 of 2021 vide order dated 04.08.2021 and Smt. Jayshree Thakur in Cr. Misc. No. 21698 of 2022 vide order dated 08.09.2020 have already been granted bail by the different Co-ordinate Benches of this Court, annexed as Annexure- P/6 to the present bail application. The petitioner has seven criminal antecedents as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 18.12.2024

6. Learned counsel for the C.B.I. has vehemently opposed the bail petition of the petitioner. He further submits that the petitioner has worked as an Audit Officer at Co-operative Societies, Bhagalpur and was well aware about the rules and regulation related to Co-operative societies. 'Srijan

Mahila Vikas Sahyog Samiti Ltd.,' was a Co-operative Society working for women within the limits of Bhagalpur District. As per provisions of Co-operative Society working for women within the limits of Bhagalpur District. As per provisions of Co-operative Societies Act, Bihar, the 'Srijan Mahila Vikas Sahyog Samiti Ltd.,' can collect funds from its lady members only. 'Srijan Mahila Vikas Sahyog Samiti Ltd.,' has not obtained any banking license from R.B.I and cannot collect funds from government departments. Despite knowing this fact, the petitioner has filled the pay-in-slips of 14 cheques of total amount of Rs. 31.5 crores. All the cheques were in favour of D.L.A.O., Banka but the petitioner has filled the Deposit Slips in favour of SMVSSL with the dishonest intention to transfer the funds from the account of D.L.A.O,, Banka, into the account of SMVSSL. The petitioner actively indulged in the criminal conspiracy hatched amongst accused persons resulting in this scheme.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Special

Judge, C.B.I.-II, Patna in connection with C.B.I., Special Case No. 01 of 2021, arising out of R.C. No. 05(A)/2018 with further conditions:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

(II). The petitioner shall co-operate in the trial.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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