

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34763 of 2025

Arising Out of PS. Case No.-6 Year-2018 Thana- C.B.I CASE District- Patna

Satish Kumar Jha @ Satish Jha, S/o Late Kameshwar Jha, Resident of A- 101, Permanent resident of 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, Dist.- Bhagalpur, Bihar- 813210

... .. Petitioner

Versus

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

... .. Opposite Parties

Appearance :

For the Petitioner/s	:	Mr. Ansul, Senior Advocate Mr. Madhukar Mohan, Advocate
For the Opposite Party/s	:	Mr. Manoj Kumar Singh, CGC Mr. Ankit Kumar Singh, J.C.

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

6 25-09-2025 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection with R.C. Case No.06/A/2018 registered for the offences punishable under Sections 120-B, 409, 420, 465, 468, 471 and 477-A read with 34 of the Indian Penal Code (in short 'IPC').

3. The accused/petitioner is named in the FIR and is in custody since 18.12.2024 and made accused in seven criminal cases arising out of same transaction.



4. Allegation against the petitioner is to created a forged record and minutes of the meeting of “Shrijan Mahila Vikas Sahyog Samiti Ltd.” (hereinafter referred to as ‘SMVSSL’) and used the same as genuine for opening of the bank accounts by concealing the facts from appropriate authorities, committing thereby criminal breach of trust and also committed cheating and dishonestly inducing delivery of property.

5. It is submitted by Mr. Ansul, learned senior counsel appearing for petitioner that petitioner is a retired Sub-divisional Audit Officer and was looking audit work of different societies in his official capacity. It is submitted that “SMVSSL” was also amongst these. It is submitted that as petitioner has drawn minutes of one of the meetings of “SMVSSL”, therefore, he was implicated with present case. It is also submitted that petitioner is 70 years old senior citizen and suffering from several life threatening ailments including pneumonia. It is submitted that earlier this petitioner had approached this Court for grant of anticipatory bail, which was rejected vide vide Cr. Misc. No.3486 of 2022 and Cr. Misc.



No.64555 of 2023 dated 06.10.2023. Being aggrieved, the petitioner also approached Hon'ble Supreme Court twice vide SLP (Crl.) No.3426 of 2023 and SLP (Crl.) No.53505 of 2023, which were dismissed as withdrawn. It is pointed out that present is the regular bail petition having no bearing of previous rejection orders. While concluding argument, it is submitted that investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence and moreover several co-accused persons facing more serious allegation had already granted regular bail by this Court.

6. Arguing further, in support of aforesaid submissions, Mr. Ansul, learned senior counsel relied upon the legal report of Hon'ble Supreme Court as available through **P. Chidambaram vs. Directorate of Enforcement** as reported in **(2019) 9 SCC 24** and **Sanjay Chandra vs. C.B.I.** as reported in **2011 AIR SC 6838**.

7. Mr. Manoj Kumar Singh, learned counsel appearing for C.B.I. while opposing the prayer of bail submitted that the petitioner was absconding was absconding



for a considerable period of time as to join proceeding before the trial court and, therefore, on enlarging bail, his presence before the court would be a difficult task. It is submitted that the prayer of anticipatory bail of this petitioner was rejected twice by this Court and same was also not entertained by Hon'ble Supreme Court as submitted by learned senior counsel appearing for petitioner. It is also pointed out that a proceeding under Section 82 of the Code of Criminal Procedure was initiated against the petitioner and, therefore, the petitioner does not deserve bail. However, he could not disputed the factual submissions that similarly situated co-accused persons have been granted regular bail by this Court.

8. Taking a contrary submission, it is pointed by Mr. Ansul, learned senior counsel that petitioner only explored his legal right upto Supreme Court, it does not mean that he was absconding and moreover the process initiated against him under Section 82 of the CrPC was stayed by this Court through Cr. Misc. No.38189 of 2024.

9. In view of aforesaid factual submissions and by taking note of fact as *prima facie* the maximum allegation



transpired against this petitioner is to draw a minutes of a meeting for “SMVSSL” society being Sub-divisional Auditor of the Co-operative Society, coupled with the fact that investigation of this case is already completed, where petitioner remains in custody since 18.12.2024, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Magistrate, C.B.I., Patna in connection with R.C. No.06/A/2018, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short ‘CrPC’)/under Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita (for short ‘BNSS’) and with further conditions:-

(i) That petitioner must co-operate in the trial and must be physically present on each and every date before the Trial Court after framing of charge and exemption from physical appearance be allowed by the Trial Court only on medical ground of the petitioner duly supported by the documents.



(ii) That the petitioner shall not make any deliberate attempt to delay the trial on his part, failing which, the CBI shall be at liberty to press before the learned trial court itself for cancellation of bail bonds of the petitioner, which be decided after giving an opportunity of hearing to the petitioner.

(Chandra Shekhar Jha, J.)

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