

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43197 of 2025

Arising Out of PS. Case No.-13 Year-2024 Thana- C.B.I CASE District- Patna

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1. Anand Prakash S/o- Rajendra Prasad Village- Ward no 2 Behind Ware House Sasaram Takiya PS- Sasaram Town District- Rohtas
 2. Soni Kumari W/o- Anand Prakash Village- Ward no 2 Behind Ware House Sasaram Takiya PS- Sasaram Town District- Rohtas

... .. Petitioner/s

Versus

CBI/ACB Patha through the Superintendent of Police, CBI/ACB, Patna Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bibhakar Tiwary

For the Opposite Party/s : Mr. Nivedita Nirvikar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 15-09-2025 1. Heard learned counsel for the petitioners and the learned counsel appearing on behalf of the CBI Mr. Bindhyachal Rai.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Section 7 of the Prevention of Corruption Act.

3. Learned counsel for the petitioners submits that the defect as pointed out by the office stands explained in the second supplementary affidavit which was filed on 09.09.2025. It is submitted that in the second supplementary affidavit, it has been specifically pleaded that petitioners again had applied for certified copy of the FIR along with the enclosures but then



again the petitioners was supplied the certified copy of the FIR without enclosure 6 and 7.

4. In view of the explanation furnished by the learned counsel appearing on behalf of the petitioners in the second supplementary affidavit, the defect as pointed out by the office stands ignored.

5. Learned counsel for the petitioners next submits that petitioners are persons with clean antecedent. It is next submitted that the case was instituted by CBI and the petitioners during the course of investigation fully cooperated with the CBI and the CBI never felt the need of arresting the petitioners. It is further submitted that CBI after threadbare investigation submitted a charge sheet, based on which, cognizance was taken, as such the petitioners apprehends their arrest. The learned counsel for the petitioners further submits that when CBI during the course of investigation never felt the need of arresting the petitioners whether it would be prudent of the court to send the petitioners to jail based on the order of cognizance. It is reiterated and submitted that charge sheet came to be submitted by the CBI only after the CBI fully investigated the case in which petitioners cooperated. It is further submitted that no useful purpose would be served by sending the petitioners to



jail when CBI does not have anything else to elicit from them.

6. Learned counsel appearing on behalf of the CBI opposes the prayer for anticipatory bail of the petitioners but then is not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioners that CBI during the course of investigation never felt the need of arresting the petitioners and petitioners cooperated in the investigation but then the learned counsel appearing on behalf of the CBI submits that in the event if privilege of anticipatory bail is granted to the petitioners, the petitioners may delay the framing of charge and the trial, on which, the learned counsel appearing on behalf of the petitioners submits that petitioners will cooperate in the trial to prove their innocence.

7. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned trial court where the case is pending/successor court in connection with R.C.13A of 2024, subject to the conditions as laid down under Section 482



(2) of the B.N.S.S.

8. However, it is made clear that if the learned trial court comes to a conclusion that petitioners after their release are trying to delay the framing of charge or after framing of charge are delaying the trial, in both the conditions, the learned trial court shall be at liberty to cancel the bail bonds of the petitioners.

(Satyavrat Verma, J)

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