

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65908 of 2024

Arising Out of PS. Case No.-14 Year-2016 Thana- C.B.I CASE District- Patna

Sanjay Kumar Son of Mahendra Pathak Resident of Village - Bhalhi, P.O.-
Harpur Balha, Via - Bajpatti, P.S. - Bathnaha, District - Sitamarhi

... .. Petitioner/s

Versus

The Central Bureau of Investigation, ACB Patna, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Saket Tiwary, Advocate
		Mr. Animesh Gupta, Advocate
For the Opposite Party/s	:	Mr. Sourendra Pandey, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-02-2025 1. Heard learned counsel for the petitioner and
learned Spl.P.P. appearing on behalf of the CBI.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 120B, 420, 468 and 471 of the Indian Penal Code as well as Sections 13(2) read with 13(1)(d) of the Prevention of Corruption Act, 1988.

3. Learned counsel for the petitioner submits that petitioner has antecedent of two cases. It is further submitted that Jai Prakash Kumar had approached this Court seeking anticipatory bail by filing Cr. Misc. No. 69676 of 2023 and the same was allowed by an order dated 07.08.2024. It is next submitted that the case was handed over to the CBI for investigation under orders of this Court. It is also submitted that during the course of investigation, the petitioner cooperated



with the CBI and also appeared as and when required. It is submitted that the CBI has already submitted charge-sheet in the instant case and never felt the need of arresting the petitioner during the course of investigation, as such, no useful purpose would be served by sending the petitioner to jail. It is further submitted that in sum and substance, the allegation against this petitioner is that he helped the candidates to seek appointment as GDS based on fake Madhyama certificate. It is next submitted that Jai Prakash Kumar was an appointee whose appointment was found to have been obtained based on fake Madhyama certificate whereas this petitioner is alleged of helping such candidates but then the CBI never felt the need of arresting him.

4. Learned Spl.P.P. appearing on behalf of the CBI does not dispute the said submission of the learned counsel appearing on behalf of the petitioner that charge-sheet has been submitted and the petitioner during the course of investigation cooperated in the investigation.

5. Considering the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his 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) 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. 08 of 2016 arising out of CBI/ACB/Patna P.S. Case No. RC 14(A) of 2016, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. However, if the learned trial court comes to a conclusion that petitioner, after his release on anticipatory bail, is trying to delay the trial of the case in any manner, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

(Satyavrat Verma, J)

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