



IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO(S).765/2022
(Arising from SLP(CrI.) No(s).3440/2022)

BARUN KUMAR

APPELLANT(S)

VERSUS

CENTRAL BUREAU OF INVESTIGATION

RESPONDENT(S)

O R D E R

Leave granted.

This appeal takes exception to the judgment and order dated 24.03.2022 passed by the High Court of Judicature at Patna in Criminal Miscellaneous No. 28357 of 2021 rejecting the application for grant of bail during the pendency of the trial.

We have heard learned counsel for the parties.

It is noticed from the impugned judgment that the High Court was of the opinion that since the appellant was a part of the conspiracy in commission of offence which



involved diversion of huge funds, ought not be shown indulgence of bail.

Further, the High Court directed the Trial Court to conclude the trial within six months. The High Court incorrectly assumed that the trial would be over within six months. For, there are more than 100 witnesses; and the charges are yet to be framed. More so, it is noticed that around eight co-accused having similar role as that of the appellant, have already been released on bail.

Taking over all view of the matter, we are of the considered opinion that in the peculiar facts of the present case, the appellant deserves to be released on bail.

Accordingly, we direct immediate release of the appellant (Barun Kumar) in connection with F.I.R. No.RC 2172017A0015 dated 25.08.2017, Police Station-C.B.I./AC-II/New Delhi, on such terms and conditions as the Trial Court may deem fit.

The impugned order of the High Court is



set aside and the appeal is allowed in the above terms.

Pending applications also stand disposed of.

....., J.
(A.M. KHANWILKAR)

....., J.
(ABHAY S. OKA)

NEW DELHI
MAY 09, 2022



ITEM NO.11

COURT NO.3

SECTION II-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (CrI.) No(s). 3440/2022

(Arising out of impugned final judgment and order dated 24-03-2022 in CRLM No. 28357/2021 passed by the High Court Of Judicature At Patna)

BARUN KUMAR

Petitioner(s)

VERSUS

CENTRAL BUREAU OF INVESTIGATION

Respondent(s)

(FOR ADMISSION and IA No.54131/2022-EXEMPTION FROM FILING O.T.)

Date : 09-05-2022 This petition was called on for hearing today.
CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR

HON'BLE MR. JUSTICE ABHAY S. OKA

For Petitioner(s) Mr. Shoeb Alam, Adv.
Ms. Fauzia Shakil, AOR
Mr. Md. Ovais, Adv.

For Respondent(s) Mr. Sanjay Jain, ASG
Mr. Anukalp Jain, Adv
Mr. Padmesh Mishra, Adv
Ms. Bani Dixit, Adv
Mr. Deepabali Dutta, Adv
Mr. Nishank Tripathi, Adv.
Ms. Harshita Sukhija, Adv.
Mr. Arvind Kumar Sharma, AOR

UPON hearing the counsel the Court made the following
O R D E R

Leave granted.

The appeal is allowed and the appellant is directed to be released on bail in terms of the signed order.

Pending applications also stand disposed of.

(NEETU KHAJURIA)
COURT MASTER

(VIDYA NEGI)
COURT MASTER

(Signed order is placed on the file)