

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16862 of 2015

Arising Out of PS.Case No. -37 Year- 2012 Thana -C.B.I CASE District- MUZAFFARPUR

Dhrub Narain Choudhary Son of Late Shyam Lal Choudhary, Ex. DDC,
Siwan At present resident of Mohalla - Choudhary Compound, Rambagh,
P.S. Mithanpura, District - Muzaffarpur

.... Petitioner/s

Versus

The State of Bihar through Department of Vigilance

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aaruni Singh

For the Opposite Party/s : Mr. Ramakant Sharma(L.O.,I/C Vig.)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

7 04-09-2015 The petitioner is apprehending his arrest in connection withVigilance P.S. Case No.37 of 2012, Special Case No.22 of 2012 registered for the offences under Sections 467, 468, 471, 477(A), 420, 120(B), 409 of the I.P.C. and Sections 13(2) read with 13(1) (d) of Prevention of Corruption Act, 1988.

Heard learned counsel for the petitioner and learned counsel for the Vigilance.

The prosecution story, in brief, is that the petitioner being the then D.D.C. is said to have committed embezzlement of fund in execution of Rural Employment Scheme of District Development Authority, Siwan.

It has been submitted on behalf of the petitioner that the petitioner has been falsely implicated in the present case with



oblique motive and the tenure of the petitioner was very short. It has been further submitted that similarly situated two co-accused persons have already been extended the privilege of anticipatory bail vide Cr.Misc. Nos.12946 of 2013 along with Cr.Misc. No.20785 of 2013 subject to verification and genuineness of Letters No.342 and 104 dated 22.09.2012 and 08.01.2014 contained in Annexures-11 and 12 to the present application indicating the vehicle in question was found Truck not the two wheelers.

On behalf of the Vigilance it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of his arrest or surrender before the learned court below within a period of four weeks from today be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the learned Special Judge, Vigilance (North Bihar), Muzaffarpur, in Special Case No.22 of 2012 arising out of Vigilance P.S. Case No.37 of 2012 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with additional condition to remain physically present before the court below on each and every date at least for two years or till

disposal of the case, whichever is earlier and in case of failure on two consecutive dates without giving any reasonable explanation, the liberty granted shall be deemed to be cancelled.

(Sudhir Singh, J)

AnilKrSinha/-

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