

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48588 of 2015

Arising Out of PS.Case No. -3 Year- 2013 Thana -C.B.I CASE District- PATNA

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1. Virendra Kumar Singh Son of Late Natho Prasad Singh Resident of
Khadi Bhandar Chowk, Mohalla - Gandhi Nagar, Road No. 1, P.S.
Mithanpura, District - Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar
2. Central Bureau of Investigation (C.B.I.)

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vikas Ratan Bharti, Advocate
For the Opposite Party/s : Mr. Bipin Kumar Sinha, Advocate, CBI

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 16-10-2015 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case registered under Section s 420, 467, 468, 477A, 471, 120B of the Indian Penal Code and 13(1)d) of Prevention of Corruption Act.

The case of the Informant is that during his tenure as Superintendent of Post Offices the Petitioner had given employment to eleven persons, the certificates of three of which were subsequently found false.

It has been submitted on behalf of the Petitioner that all the appointments have been made after due verification from the concerned Board and at that point in time there was no controversy with regard to the authenticity of the certificates and

hence those three persons have been given appointment. If any controversy arose, it came later on, for which the Petitioner cannot be held responsible since now that he has retired.

On the other hand, the Counsel for the C.B.I. submits that since the Petitioner had given appointment to three undeserving persons, he should be put behind the bars.

Having considered the nature of allegations, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender before the learned court below within a period of four weeks from the date of receipt of this order in connection with Special case No.4 of 2013 arising out of R.C. case No.3 of 2013 on furnishing bail bonds of Rs.5,000/- (five thousand) with two sureties of the like amount each to the satisfaction of Special Judge, C.B.I.- II, Patna, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as also conditions (i) That one of the bailor will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will undertake to furnish information to the Court about any change in address of the petitioner. (ii) That the affidavit shall clearly state that the petitioner is not an accused in any other case and if he is he shall not be released on bail, (iii) That the bailor

shall also state on affidavit that he will inform the court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse, (iv) That the petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse, (v) That the petitioner will be well represented on each date if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Anjana Prakash, J)

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