

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46949 of 2015

Arising Out of Vig.Case No. -68 Year- 2013 Thana -C.B.I CASE District- MUZAFFARPUR

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1. Jitendra Kumar Son of Late Ram Bahadur Prasad, the then C.I. Patepur Anchal, Dist.-Vaishali
2. Md. Aftab Alam Son of late Md. Maksad Ali, the then Halika Karamchari Patepur, Dist.-Vaishali

.... Petitioners

Versus

1. The State of Bihar through Vigilance

.... Opposite Party

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Appearance :

For the Petitioner/s : Mrs. Bela Singh, Advocate

For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 30-10-2015 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 420, 467, 468, 471 and 120B of the Indian Penal Code and Section 13(2) read with Section 13 (1) (D) of the Prevention of Corruption Act, 1988 registered in connection with Special Case No. 39 of 2013 arising out of Vigilance Case No. 68 of 2013.

3. It is submitted that the petitioners being the Circle Inspector and Halka Karmchari have been falsely implicated as they have merely acted in discharge of their duties and the complaint has been filed owing to land dispute between the



complainant Akhilesh Kumar Singh and the accused Prabha Shankar Singh and Kripa Shankar Singh. It is further submitted that the complainant did not produce any document in support of his claim over the disputed land before the petitioners nor filed any petition in the mutation proceeding. It is further stated that co-accused Sudhir Kumar Jha, Circle Officer, as well as Prabha Shankar Singh and Kripa Shankar Singh in whose favour the mutation was made, have already been granted anticipatory bail by this Court.

4. Having regard to the entirety of the facts and circumstances, in the event of the petitioners arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Special Judge, Vigilance (North Bihar), Muzaffarpur, in connection with Special Case No. 39 of 2013, arising out of Vigilance Case No. 68 of 2013 subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) The petitioners shall cooperate with the investigation and make themselves available as and when so required and in

case of failure, the State shall be at liberty to move for cancellation of bail.

(ii) The petitioners shall remain physically present as and when required during trial and in the event of failure on two consecutive dates, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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