

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52192 of 2014

Arising Out of PS.Case No. -42 Year- 1991 Thana -KHODAWANPUR District- BEGUSARAI

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Anil Kumar Singh, son of Kamaleshwar Prasad Singh, Resident of Mohalla
- Mahesh Nagar, P.S. Patliputra, District - Patna.

.... Petitioner/s

Versus

The State of Bihar through the Vigilance.

.... Opposite Party/s

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with

Criminal Miscellaneous No.307 of 2015

Arising Out of PS.Case No. -42 Year- 1991 Thana -KHODAWANPUR District- BEGUSARAI

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Binod Kumar, Son of Sita Ram Singh, Resident of Village: Jasauli, P.S.
Pachrukhi, District : Siwan.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.52192 of 2014)

For the Petitioner/s : Mr. Prakash Kumar, Advocate.

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

(In Cr.Misc. No.307 of 2015)

For the Petitioner/s : Mr. Ajay Kumar Pandey, Advocate.

For the Opposite Party/s: Mrs. Meena Singh(App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

5 23-07-2015

Heard learned counsel for the parties.

Having regard to the fact that the petitioners face prosecution for offence under Sections 120-B, 419, 420, 467, 468, 471 and 472 of the Indian Penal Code and Section 5(1) & 13 (2) read with section 13(1)(d) of the Prevention of Corruption Act, 1988 and are said to be also responsible for embezzlement of the Government fund in the Scheme of smokeless furnace (Chulha) to

the tune of more than Rs. 20 lacs, this Court would not be inclined to grant privilege of anticipatory bail to the petitioners keeping in view that the charge sheet against the petitioners was submitted way back in the year 2007 by Charge sheet no. 159 dated 21.07.2007 but the petitioners even thereafter have remained absconding and therefore did not allow the trial to proceed in the last eight years.

In that view of the matter, the prayer of anticipatory bail of the petitioners is hereby rejected and the petitioners are directed to surrender in the court below and if they do, their prayer for regular bail shall be considered by the court below, by taking into account that if any co-accused having similar allegation has already been granted the privilege of regular bail, the petitioners shall also be released on bail but subject to the specific condition of their attending the trial on day-to-day basis and their bail bond being liable to be cancelled on account of their failure to remain present in course of trial even for a single day.

(Mihir Kumar Jha, J)

Sujit/-

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