

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14558 of 2015

Arising Out of PS.Case No. -59 Year- 2006 Thana -C.B.I CASE District- PATNA

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1. Titiya Devi wife of Late Munni Lal Yadav @ Tanuk Lal Yadav,
resident of village- Prem Tola, Farda, P.S.- Naya Ram Nagar, District-
Munger

.... Petitioner

Versus

1. The State of Bihar through Vigilance

... Opposite Party

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Appearance :

For the Petitioner : Mr. Pravin Kumar

For the Opposite Party : Mr. Ramakant Sharma (Law Off. Vig)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 12-05-2015

Petitioner is languishing in custody since

14.02.2015 in a case registered for the offences punishable
under Sections 181, 182, 191, 192, 193, 196, 197, 198, 199,
200, 419, 420, 467, 468, 471, 477, 120B of the Indian Penal
Code and Section 13(1) read with 13(2) of the Prevention of
Corruption Act, 1988.

The prosecution has been launched by the
Vigilance on the basis of a complaint instituted by the
Mukhiya, Natho Yadav, leading to enquiry being conducted by
S.I.Niwas Tiwary, of Electricity Board Vigilance Cell in 2001
and thereafter by S.I Surendra Kumar in 2002. The enquiry
reports revealed that one Muni Lal Yadav was employed as
unskilled Khalasi on work-charge basis at Jamalpur, but after
working for 1-2 years, he allowed his elder brother late Tanik
Lal Yadav, to work in his place, impersonating as Muni Lal
Yadav from 18.10.1963 to 28.11.1993.

Subsequently Late Rishideo Yadav declaring Muni Lal Yadav as dead got himself appointed on compassionate grounds and worked from 08.09.1999 to 17.04.2002 as unskilled Khalasi though, Muni Lal Yadav died in 2005.

Late Tanik Lal Yadav has two wives namely Sandhiya Devi and the petitioner Titiya Devi, but both of them claiming themselves to be wives of Muni Lal Yadav and declaring Muni Lal Yadav as dead, received family pension for several years in connivance with the officials of Electricity Department.

It is submitted by learned senior counsel for the petitioner that Muni Lal Yadav and Tanik Lal Yadav are one and the same person. Late Rishideo Yadav claimed himself to be the son of Muni Lal Yadav in Probate Case No. 2 of 1994 and Misc. Case No. 7 of 1995 in the Court of learned District Judge, Munger.

The family pension was directed to be divided between Sandhiya Devi and this petitioner, in pursuance to the order passed in C.W.J.C. No. 9272 of 1999, on the basis of their claim as wives of late Muni Lal Yadav.

In 125 Cr.P.C proceeding instituted in 1997, co-accused Sandhiya Devi claimed herself as wife of Muni Lal Yadav.

The petitioner is an illiterate lady and the children of the petitioner in all the relevant records, claimed

themselves as the son of late Muni Lal Yadav.

The co-accused Raghuwansh Mani @ Bablu Yadav, the son of the petitioner has been granted bail vide Cr. Misc. No. 18258 of 2012 by a Co-ordinate Bench of this Court.

It is submitted by learned senior counsel for the Vigilance that the petitioner in connivance with the officials of Electricity Department, received family pension for several years. The learned senior counsel for the Vigilance has not denied this fact that this petitioner has throughout cooperated in the investigation, which has now concluded.

Considering the period undergone under custody, the petitioner being an illiterate lady and investigation being concluded, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge(Vigilance Case), Vigilance-II, Patna in connection with Special Case No. 15(A) of 2006, arising out of Vigilance P.S. Case No. 59 of 2006.

(Dinesh Kumar Singh, J)

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