

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37562 of 2015

Arising Out of PS.Case No. -19 Year- 2014 Thana -C.B.I CASE District- MUZAFFARPUR

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1. Shiv Narayan Ram @ Shiv Nr. Ram Son of Late Ramcharitra Ram R/o Village Matiaria, P.S. - Harsidhi, District - East Champaran at present Panchayat Secretary, Gram Panchayat Raj Raghapur, Block - Charaiya, P.S. - Charaiya, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar through Vigilance Dept. Bihar Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Karandeep Kumar

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 27-11-2015 Heard both sides.

The petitioner apprehends his arrest in C.B.I. Case No. 19/2014, registered for the offences punishable under Section 409, 420, 467, 468, 471 and 472 of the Indian Penal Code.

Three-four allegations are against the petitioner who is a Panchayat Sachiv and the allegation is that in the year 2006 Indira Awas was allotted to Sunil Paswan the minor son of Mukhiya.

It is further alleged that Indira Awas was allotted to Umrawati Devi wife of Nagendra Thakur in the year 2009-10 and again in the year 2010-11.

It is submitted that of course, Sunil Paswan was son of Mukhiya, but he was major. His date of birth was 02.01.1988 and

Indira Awas was allotted in the year 2006-07. On the date of allotment he was major and no illegality was committed.

From perusal of annexure 3 it would appear that the petitioner was transferred on 27.10.2008 and he was directed to take charge of Chiraiya/Raghopur panchayat. During his tenure no Indira Awas was allotted to Umrawati Devi either in the year 2009-10 or 2010-11.

Learned counsel for the Vigilance Department however opposed the prayer for bail.

Considering the facts aforesaid, the petitioner, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Vigilance (North Bihar), Muzaffarpur in connection with CBI Case No. 19/14, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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