

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2480 of 2015

Arising Out of PS.Case No. -16 Year- 2001 Thana -C.B.I CASE District- PATNA

1. Bijay Kumar Sinha S/o late Bachneshwari, resident of village-
Barohonia, P.S. Sangrampur, Distt. Munger, the then Assistant Electrical
Engineer, Electric Supply Sub-Division, Sultanganj now retired Chief
Engineer Bihar State Electricity Board

.... Petitioner/s

Versus

1. The State of Bihar through Vigilance

.... Opposite Party/s

with

Criminal Miscellaneous No.15371 of 2015

Arising Out of PS.Case No. -16 Year- 2001 Thana -C.B.I CASE District- PATNA

1. Balram Prasad son of Late Jagdish Prasad Sharma Resident of Hanuman
Nagar, Police station Adampur District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar Through Vigilance

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.2480 of 2015)

For the Petitioner/s : Mr. Anupa Nand Jha

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

(In Cr.Misc. No.15371 of 2015)

For the Petitioner/s : Mr. Gopal Prasad Roy

For the Opposite Party/s : Mr. Rama Kant Sharma(L.O,I/C Vigi)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

5 03-07-2015 Both the above-said petitions arise out of

Special Case No. 14 of 2001 arising out of Vigilance P.S.

Case No. 16 of 2001 registered under Sections-109, 120B

of the Indian Penal Code and Sections-13(2) r/w 13(1)(d) of

Prevention of Corruption Act in which, petitioners apprehend their arrest and, accordingly, both the above-said petitions are being heard and disposed off by this common order.

Heard learned counsels for the petitioners and learned Additional Public Prosecutor for the State.

The petitioner in Cr. Misc. No. 2480 of 2015 was posted as Assistant Engineer whereas; the petitioner in Cr. Misc. No. 15371 of 2015 was posted as Junior Electrical Engineer and the accusation against them is that they, in collusion with other accused, committed theft of electric energy causing huge loss to the Electricity Department.

The contention on behalf of the petitioners is that it was one, Mohan Yadav, the then Junior Electrical Engineer, who committed the occurrence and as a matter of fact, after disconnection of commercial metre, petitioners joined their posts.

To fortify the above-said contention, learned counsels for the petitioners refer paragraphs-114 and 201 of the case diary.

Admittedly, one co-accused Pramod Kumar Ram in whose name, the commercial meter stood, has

already been granted privilege of anticipatory bail by a coordinate bench of this court vide order dated 16-04-2012 passed in Cr. Misc. No. 13031 of 2014 after taking note of this fact that the amount has already been deposited.

Considering the aforesaid facts and circumstances as well as submission of the parties, let the petitioners named above, in the event of their arrest or surrender within four weeks from the date of receipt/production of copy of order in the court below, be released on bail on furnishing bail bond of Rs 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Special Case No. 14 of 2001 arising out of Vigilance P.S. Case No. 16 of 2001 to the satisfaction of Special Judge, Vigilance-II, Patna subject to conditions as laid down u/S 438(2) of the Cr. P.C.

A.K.V./-

(Hemant Kumar Srivastava, J)

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