

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37249 of 2014

Arising Out of PS.Case No. -2 Year- 2012 Thana -C.B.I CASE District- PATNA

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Dayanand Tiwari @ Dayanand Tiwary, son of Bindeshwari Tiwari, resident of Village-Kamarganj, Sultanganj, Police Station-Sultanganj, District-Bhagalpur, Bihar, presently residing at New Vikramshila Colony, Tilka Manjhi Bhagalpur, Police Station and P.O., Bhagalpur, Bihar

.... Petitioner

Versus

The Union of India Through Central Bureau of Investigation

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Nagendra Dubey

For the Opposite Party : Mr. Bipin Kumar Sinha (Sc/Cbi)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 03-04-2015 Petitioner is languishing in custody since 31.07.2014 in a case registered for the offences punishable under Sections 120-B read with 409 of the I.P.C and Sections 13(2) read with 13(1)(c) of the Prevention of Corruption Act.

836.5 quintals of rice to the tune of Rs. 17,46,124/- and 2788 quintals of wheat to the tune of Rs. 42,54,488/- were misappropriated.

It is submitted by learned counsel for the petitioner that though three persons were made accused but only sanction of prosecution has been granted against the petitioner.

It is submitted by Mr. Bipin Kumar Sinha, learned counsel for the C.B.I that charges have already been framed on 19.02.2015 but no witness has been examined.

A statement has been made in para 3 of the

petition that petitioner has no criminal antecedent.

Considering the fact that there is no likelihood of conclusion of trial in near future as no witness has been examined till date, 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, C.B.I-III, Patna in connection with Special Case No. 01 of 2012, arising out of RC 02(A) of 2012.

Let learned Court below cancel the bail bonds of the petitioner, if the petitioner defaults for two consecutive occasions during trial.

(Dinesh Kumar Singh, J)

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