

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35734 of 2015

Arising Out of PS.Case No. -74 Year- 2014 Thana -KOTWALI District- MUNGER

Mantun Kumar, son of Late Sukhdeo Singh, Resident of Village-
Chokharthi, P.S.- Shambhuganj, District Banka

.... .. Petitioner/s

Versus

1. The State of Bihar
2. The Vigilance Commissioner, Bihar, Patna through E.O.U

.... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Subodh Prasad, Advocate
For the Opposite Party : Mr. Akhileshwar Prasad Singh, Sr. Advocate
(EOU) : Mr. Rajeev Ranjan Prasad, Advocate

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 16-10-2015 Heard learned counsel for the petitioner and Mr.

Akhileshwar Prasad Singh, learned Senior Counsel appearing
on behalf of Economic Offences Unit (E.O.U.).

The petitioner is apprehending his arrest in connection
with Special Case No.37(A) of 2014 arising out of Kotwali
(Munger) P.S. Case No.74 of 2014 registered for the offences
under Sections 406, 409, 420, 467, 468, 471, 120B of the Indian
Penal Code and Sections 7, 12, 13, 14 of the Prevention of
Corruption Act and Sections 65, 66(ii) and 72 of the
Information and Technology Act, 2000.

Learned counsel for the petitioner submits that an
allegation of defalcation of Rs.2,35,940/- has been made against



the petitioner. Learned counsel submits that though such amounts had been paid by the petitioner but due to some miscalculation, the said entries have not been made in the record of the Department and consequently, the present prosecution has been launched against the petitioner. It is further submitted that without prejudice to his rights, the petitioner is willing to deposit 50% of the defalcated amount as alleged in the F.I.R. within a period of three months.

In view of the entire facts and circumstances and that other similarly situated persons have also been extended the privilege of anticipatory bail, vide order dated 30.9.2015 passed in Cr.Misc. No.26139 of 2014 and also vide order dated 7.9.2015 passed in Cr.Misc. No.23683 of 2014, let the petitioner, above named, 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, 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 the learned Special Judge, Vigilance-II, Patna, in connection with Special Case No.37(A) of 2014 arising out of Kotwali (Munger) P.S. Case No.74 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

It is made clear that the petitioner shall present himself at all relevant dates before the court below and in the event of his absence for two consecutive dates, it shall be open to the authorities to take appropriate legal recourse in accordance with law, which shall also include moving this Court for cancellation/modification of the order.

(Anjana Mishra, J)

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