

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50692 of 2014

Arising Out of Vigilance Case No. -68 Year- 2013 Thana -C.B.I CASE District- MUZAFFARPUR

Sudhir Kr. Jha, son of Late Lal Jha, resident of village - Brahmpur Benipatti, P.S. Arer, District - Madhubani, the then Anchaladhikari (C.O.), Patepur Anchali, District - Vaishali

.... Petitioner

Versus

The State of Bihar through Vigilance

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Bela Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

4 28-08-2015

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Special Case No. 39 of 2013 arising out of Vigilance Case No. 68 of 2013, disclosing offences under Sections 420, 467, 468, 471 and 120B of the Indian Penal Code, Section 13(2) read with Section 13(1)(D) of Prevention of Corruption Act, 1988.

Learned counsel appearing on behalf of the petitioner submits that at the relevant point of time, the petitioner was posted as Circle Officer, Patepur, Vaishali, and is presently holding the post of Additional Collector at a different place. She contends that petitioner being a public servant, is not likely to flee from the course of justice. She further submits that in course of investigation, allegation of accepting gratification, has been found to be incorrect. She has submitted, referring to the statement made

in paragraph 13 of the present application for anticipatory bail that fixing the date of hearing on 30.02.2003 by the petitioner was a mere clerical mistake. She also states, on the instructions of her client that the petitioner shall be presenting himself before the investigating agency and the Court, as and when required.

In view of the submission made above, this application is allowed.

Let the petitioner, above-named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Vigilance (North Bihar), Muzaffarpur in connection with Special Case No. 39 of 2013 arising out of Vigilance Case No. 68 of 2013, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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