

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32186 of 2015

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

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1. Deepak Kumar S/o Shri Birendra Kumar Resident of West Azimganj,
Bhaiya Ram Toli, P.S. Haweli Kharagpur, District Munger.

.... Petitioner/s

Versus

1. The State of Bihar through the Vigilance Department Bihar, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyabir Bharti

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

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 17-08-2015 Heard learned counsel for the petitioner as well as

learned counsel appearing for the Vigilance.

Petitioner was license holder of wine shop for the financial year 2012-13 and the accusation against him is that he deposited forged challan just after the settlement causing pecuniary loss to the State Exchequer to the tune of Rs.4,40,470/-

The contention on behalf of the petitioner is that petitioner deposited the above stated amount with the concerned department just after the settlement in accordance with rules and procedure and after that his settlement was approved and time to time petitioner deposited the rest amount. It is further contended on behalf of the petitioner that if the official of excise department committed any fraud, the petitioner is not responsible for the

above stated fraud. In alternative, it is also submitted on behalf of the petitioner that petitioner is ready to deposit 50% of the amount in question with Excise Department within a month from the date of his release.

Considering the aforesaid submissions as well as this aspect of the matter that several co-accused, having more or less similar allegation, have already been granted privilege of bail by different Benches of this Court, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Vigilance-II, Patna in connection with Special Case No. 37(A) of 2014 arising out of Munger Kotwali P.S. Case No. 74 of 2014, subject to condition that he shall deposit 50% of the amount in question with Excise Department within a month from the date of his release and shall produce receipt thereof before the court below, failing which the court below shall be at liberty to cancel the bail bonds of the petitioner.

(Hemant Kumar Srivastava, J)

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