

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45017 of 2015

Arising Out of PS.Case No. -50 Year- 2015 Thana -PARIHAR District- SITAMARHI

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Hari Kishore Mishra son of Sri Binda Mishra

.... Petitioner/s

Versus

The State of Bihar through the Vigilance

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 15-10-2015 Heard learned counsels for the petitioner, Vigilance and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under sections 7/13(a) of the Prevention of Corruption Act.

The prosecution case is that the petitioner being the Indira Aawas Assistant demanded gratification of Rs.5000/- from Urmila Devi, one of the beneficiary under the Indira Aawas Scheme, to release the second installment of benefit under the Indira Aawas Scheme.

It is submitted by learned counsel for the petitioner that only on suspicion the accusation has been levelled. In fact, the petitioner has no authority to release the amount. Moreover, under the Indira Aawas Scheme, the amount is being transferred to the

account of the beneficiaries directly. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

It is submitted by learned counsel for the Vigilance that the investigation has still not concluded.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail till submission of final form, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Vigilance, Muzaffarpur in connection with Special Case No. 13 of 2015 arising out of Parihar P.S. Case No.50 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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