

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41673 of 2014

Arising Out of PS.Case No. -76 Year- 2013 Thana -C.B.I CASE District- MUZAFFARPUR

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1. Rama Prasad Singh Son of Late Chandrakesh Singh Resident of Village -
Rahimapur, P.S.- Bidupur, District- Vaishali

2. Raghunath Bhagat Son of Punit Bhagat Resident of Village -
Mustafapur, P.S.- Bidupur, District - Vaishali

Both Ex Panchayat Secretary, Andarwara, P.S.- Rajapakar, District -
Vaishali

.... Petitioner/s

Versus

1. The State of Bihar through Vigilance

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mithlesh Kumar Gupta

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

Mr. Rabindra Kumar, A.C. to L/O (I/C.Vig.)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

4 18-05-2015 Heard Mr. N.K.Agrawal, learned Senior Counsel for
the petitioners and Counsel for the Vigilance.

The petitioners herein were the Panchayat Secretaries
for certain periods during which solar lamps were purchased. The
allegation is that those lamps were purchased on higher price and
not from the authorised Dealer causing total loss in the sum of Rs.
353,392/-.

Counsel for the petitioners has handed in web copy
of the order dated 23.03.2015 passed in Cr. Misc. No. 11814 of
2015 as also order dated 19.12.2013 passed in Cr. Misc. No.
47789 of 2013 in order to demonstrate that some of the accused

persons having similar/identical allegations have been privileged with anticipatory bail.

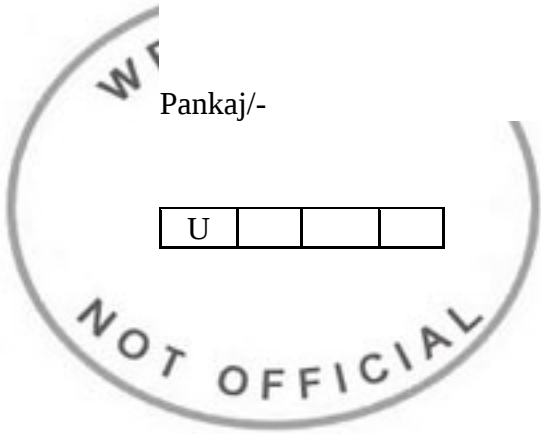
In the event of arrest or surrender in the Court below within four weeks, the petitioners abovenamed are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Special Judge, Vigilance (North Bihar), Muzaffarpur in Vigilance Case No. 76/2013 (arising out of Special Case No. 45/2013) subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(I) One of the bailers shall be the own/close family members of the petitioners.

(ii) In case of framing of charge, the petitioners shall appear in person on each and every date fixed in the Court below. In case of default on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioners and secure their arrest in accordance with law.

Along with the bail bonds, each of the petitioner shall furnish demand draft in favour of the District Welfare Officer in the sum of Rs. 40,000/-. The State respondent would be entitled to

use the amount subject to final outcome of the criminal case.



Pankaj/-

(Kishore Kumar Mandal, J)