

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9075 of 2016

Arising Out of PS.Case No. -88 Year- 2006 Thana -LAHERIMUHALLA District- NALANDA
(BIHARSHARIFF)

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1. Vimalleshwar Kumar Sinha Son of Late Prem Das Sinha resident of
Village - Injore, P.S. - Mehandia, District - Arwal.

.... Petitioner/s

Versus

1. The State of Bihar through Vigilance, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhu Nath Pathak

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

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

5 12-04-2016

Heard both sides.

The petitioner apprehends his arrest in connection with Special Vigilance Case No. 30 of 2006, arising out of Laheri P.S. case no. 88 of 2006, registered under Sections 420, 120B 406, 409 of the IPC and Section 13(2) read with 13(1)(D) of Prevention of Corruption Act.

The vigilance case was instituted in 2006. The proceeding was quashed by this Court against which the opposite party moved the Hon'ble Supreme Court and the order of this Court was quashed. The criminal proceeding, therefore, survives.

Mr. Pathak has contended that most of the accused persons of this case, as stated in para 26, have been granted

anticipatory bail by this Court.

Mr. Rama Kant Sharma, counsel for the Vigilance is not in a position to controvert the aforesaid stand of the petitioner.

Considering the fact that many of the accuseds of this case have been granted the privilege of anticipatory bail by different Benches of this Court, I am also persuaded to extend the privilege of anticipatory bail to the petitioner. Let the petitioner, named above, in the event of his arrest/surrender before the learned Court below within a period of four weeks from today, 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 the learned Special Judge, Vigilance-1st, Patna in connection with Special case no. 30 of 2006, arising out of Laheri P.S. case no. 88 of 2006, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with further following conditions:-

- (i) One of the bailors shall be the own/close family member of the petitioner.
- (ii) As soon as the charges are framed the petitioner shall appear in person before the trial court on the date(s) fixed at the trial. In case of default in such appearance on two consecutive dates, the

trial Court shall have liberty to cancel the bail bonds of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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