

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7963 of 2016

Arising Out of PS.Case No. -80 Year- 2013 Thana -C.B.I CASE District- PATNA

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Wakil Singh S/o late Ram Kripal Singh Previous Circle Inspector Anchhal Chapra at Present Circle Office Barharia Distt Siwan resident of village-Kudar Badha P.s Garidha Distt Saran at Chapra.

.... Petitioner

Versus

The State of Bihar Through Vigilance Patna, Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Vigilance : Mr. Rabindra Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 08-04-2016 Heard learned counsel, appearing on behalf of the petitioner, and the learned counsel, appearing on behalf of the Vigilance.

This application for grant of anticipatory bail arises out of Special Case No. 46/2013, Vigilance (Patna) P.S.Case No. 80/2013, disclosing offences under sections 418, 420, 423, 424, 466, 477, 120B, 201 of the Indian Penal Code and Section 13(2) read with section 13(1)(d) of the P.C.Act, 1988.

Allegation against the petitioner is that while working as Circle Inspector he was instrumental in getting a piece of land mutated in favour of someone, who was not in any way concerned with the said land.

It is stated by the learned counsel for the petitioner that

there is no chance of the petitioner absconding from investigation or trial, he being a Government servant and is regularly discharging his duties as such. He has also submitted that in any event, the petitioner cannot be held responsible for the said mutation.

Learned counsel, appearing on behalf of the Vigilance, has opposed the prayer for anticipatory bail.

However, considering the fact that the petitioner is a Government servant and there is no likelihood that he will flee from the course of justice, this application is allowed.

I have taken into consideration the fact that there is no allegation against the petitioner that he avoided his arrest or did not co-operate with the Vigilance in connection with the concerned investigation during all these years i.e. right from institution of the First Information Report in 2013.

Let the petitioner, abovenamed, in the event of his arrest/ surrender before the court below within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Vigilance (North Bihar), Muzaffarpur in connection with Special case No. 46/2013, arising out of Vigilance (Patna) P.S.Case No. 80/2013, subject to the

conditions as laid down under section 438(2) of the Cr.P.C.

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)

Surendra/-

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