

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52977 of 2015

Arising Out of PS.Case No. -261 Year- 2013 Thana -THAKURGANJ District- KISANGANJ

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Bishwanath Mandal son of Late Gopal Bishwas, resident of village-
Pachhiyari Jhiruwa, P.S. - Simraha, District - Araria, presently suspended
Asstt. Nazir Thakurgan Block under the District of Kishanganj.

.... Petitioner/s

Versus

The State of Bihar through the Vigilance Investigation Bureau Bihar, Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamala Kant Upadhyay, Advocate
For the Opposite Party/s : Mr. Ramakant Sharma, Law Officer, I/C
Vigilance.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH
ORAL ORDER

3 01-02-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in connection with Special
Case No.39 of 2014 arising out of Thakurganj (Kishanganj) P.S.
Case No.261 of 2013 registered under Sections 409, 468, 471 and
120B of the Indian Penal Code as well as Section 7/13(2) read
with 13(1)(c) (d) of the Prevention of Corruption Act, 1988.

It is contended that the main allegation in the FIR is
against Peter Minz, Block Development Officer, Thakurganj and
Sumant Kumar Das, Panchayat Secretary of the Block, who have
already been granted anticipatory bail by a co-ordinate bench of
this Court vide Cr. Misc. Nos.19455 of 2014 and 49308 of 2014
respectively.

It is further contended that another co-accused, namely, Pramod Kumar Das, has also been granted bail by a co-ordinate bench of this Court vide order dated 19.1.2015 passed in Cr.Misc. No.32439 of 2014 and the case of the petitioner, who at the relevant time was Nazir of the concerned Block, stands on better footing. He was custodian of the accounts and cheque books and had nothing to do with the administrative financial matters as well as selection of agents or agency for execution of the plans in question run by the Block authorities.

Learned counsel for the Vigilance concedes that other accused persons having more or less identical allegation have already been granted bail by different orders passed by different benches of this Court.

Regard being had to the facts and circumstances of the case, the petitioner, namely, Bishwanath Mandal, who is reported to be a man of clean antecedent having roots in the society, is directed to 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 learned Special Judge, Vigilance-II, Patna, in connection with Special Case No.39 of 2014 arising out of Thakurganj P.S. Case No.261 of 2013.

(Ashwani Kumar Singh, J)

Md.S./-

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