

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18931 of 2016

Arising Out of PS.Case No. -109 Year- 2015 Thana -C.B.I CASE District- PATNA

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1. Ram Naresh @ Ram Naresh Pandit, Son of Bikan Pandit, Resident of village- Dawai Bigha, Police Station- Ben, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar through the Superintendent of Police, Vigilance Department, Vigilance Investigation Bureau, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

2 09-05-2016 Heard learned counsel for the petitioner and learned Additional Public Prosecutor appearing on behalf of the State.

This application for anticipatory bail arises out of Vigilance P.S. Case No. 109 of 2015, disclosing offences under Sections 420,467,468,477(A), 192,201,120B of the Indian Penal Code and Section 13(2) read with Section 13(1) (d) of the Prevention of Corruption Act.

The petitioner is the Mukhiya of Eksara Gram Panchayat in the district of Nalanda. Allegation against the accused persons including the present petitioner relates to tampering with the records of selection process for engagement of Panchayat teachers.

Learned counsel for the petitioner has submitted that the petitioner was elected Mukhiya on 16.05.2011 and before he assumed the office of Mukhiya, the concerned selection process was already over. The only allegation against him is of putting a signature on the register containing

details of engagement process on 07.10.2011. It has been submitted that since the allegations are based on documents, there is no chance of petitioner tampering with the evidence or fleeing from the course of investigation. Learned counsel for the petitioner gives an undertaking on his behalf that he will present himself before the police as and when required for the purpose of investigation and will appear before the Court, if so advised, at the stage of framing of charge or trial.

Learned counsel for the Vigilance has vehemently opposed the prayer for bail.

Considering the nature of allegation and the submissions advanced, this application is allowed. Let the petitioner above-named in the event of his arrest/surrender within four weeks from today in the Court below 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 the learned Special Judge, Vigilance Ist, Patna in Special Case No. 65 of 2015 arising out of vigilance P.S. Case No. 109 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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)

ArunKumar/-

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