

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18442 of 2016

Arising Out of PS.Case No. -19 Year- 2003 Thana -C.B.I CASE District- MUZAFFARPUR

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1. Surendra Prasad Son of Late Ramlakhan Prasad resident of village-
Damodar Pur P.S. Gobind Ganj, District- East Champaran

.... Petitioner/s

Versus

1. The State of Bihar through the Vigilance Department North Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava
For the Opposite Party/s : Mr. Ramakant Sharma(L.O.,I/C Vig.)
Mr. Kedar Singh

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 04-07-2016 Heard learned counsel for the petitioner and learned counsel
for the Vigilance.

The petitioner apprehends his arrest in connection with a
case registered for the offences punishable under Sections 13(2)
read with Section 13(1)(E) of the Prevention of Corruption Act.

Learned counsel for the petitioner submits with regard to the
present case that the prosecution has swung into action and lodged
prosecution against him almost 12 years after he had
superannuated from the service. The allegation against the
petitioner is that he possesses wealth more than his known source
of income. It appears from the present facts and circumstances
that the petitioner has superannuated in the year 1991 and he is
almost 85 years of age at the present moment. Though, it is



indicated that the processes have already been issued against him and he has been shown absconder, the petitioner further submits that being very old and infirm, he is at present residing at Village-Damodarpur, P.S. Gobind Ganj, district- East Champaran. He next submits that since chargesheet has already been submitted, the petitioner has come to know about the present case only recently and, thus, he is apprehending his arrest. He, however, submits that the present petitioner shall appear before the Court below and collect the relevant papers and, thereafter, he shall co-operate in the progress of the trial. He further submits that there was no deliberate lapse on his part but only on account of his infirmity, he was not aware of the prosecution.

In view of the aforementioned facts and circumstances, let the petitioner, in the event of his arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged 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 6th Additional Sessions Judge Cum Special Judge-II, Vigilance, Muzaffarpur in connection with Spl. Case No. 09 of 2003 arising out of Vigilance Case No. 19 of 2003 subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

It is made clear that the petitioner shall make appropriate arrangements so that the trial is not delayed in his absence and that he shall present himself as and when required by the Court below.

(Anjana Mishra, J)

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