

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40695 of 2016

Arising Out of PS.Case No. -32 Year- 2015 Thana -C.B.I CASE District- PATNA

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1. Syed Sadique Hussain Son of Late Ashique Hussain, Resident of Magistrate Colony, Ashiana Nagar, P.S. Rajeev Nagar, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar through Vigilance, Investigation Bureau Department, Patna through its Director General.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Singh, Sr. Advocate
With Mr. Tej Pratap Singh

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

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

4 27-09-2016 Heard learned Senior Counsel appearing on behalf of the petitioner, learned Senior Counsel for the Vigilance Bureau as well as the learned counsel appearing on behalf of the State.

This application for anticipatory bail arises out of Vigilance P.S. Case No. 032 of 2015, disclosing offences under Section 13(2) read with section 3(i) (e) of the Prevention of Corruption Act, 1988.

The petitioner is accused of having acquired property disproportionate to his known sources of his income. He was holding the post of Assistant Secretary-cum- Private Secretary to the Chairman, Bihar Madrasa Board.

Learned Senior Counsel appearing on behalf of the



petitioner has submitted and which fact has not been disputed on behalf of the Vigilance Bureau that after registration of the First Information Report, the petitioner has been interrogated by the personnel of the Vigilance Bureau and he has made himself available before the Vigilance team as and when required. He has also submitted that at any point of time, if the petitioner is required by the Vigilance for the purpose of investigation of the case, he shall present himself before the Vigilance personnel for the said purpose.

Learned Senior counsel appearing on behalf of the Vigilance has, however, opposed the prayer for anticipatory bail and has submitted that some stringent conditions should be imposed, if the petitioner is allowed to go on anticipatory bail.

Considering the aforesaid submissions, 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 Vigilance P. S. Case No. 032 of 2015 (Special Case No. 18/2015), 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/-c

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