

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9487 of 2016

Arising Out of PS.Case No. -9 Year- 2003 Thana -C.B.I CASE District- PATNA

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1. Dr. R.n. Mishra @ Rama Nand Mishra son of Late Tarkeshwar Mishra resident of Mohalla Kalibari, Binodpur, P.S. Katihar Town, District - Katihar, Bihar.

.... Petitioner/s

Versus

1. The State of Bihar through Vigilance Commissioner (Cabinet Vigilance), Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tuhin Shankar

For the Opposite Party/s : Mr. Rama Kant Sharma(L.O,I/C Vigi)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
ORAL ORDER

5 23-06-2016 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Special Case No. 09 of 2003 (arising out of Vigilance P.S. Case No. 09 of 2003), disclosing offences under Sections-465, 466, 467, 469, 471, 477(A)/419/420/120(B)/109/201 of the Indian Penal Code and Sections-13(2) read with Section-13(1) of the Prevention of Corruption Act.

The FIR was instituted in the year, 2003. Petitioner has been arrayed as accused, who at the relevant time, was posted as Civil Surgeon, Katihar in the year, 1986. The offence relates to the aforesaid period.



Learned counsel appearing on behalf of the petitioner submitted that the petitioner retired from the service in the year, 1992 and during the investigation, he presented himself before the investigating agency as and when required. He has further submitted that considering the old age of the petitioner and his status as a retired government servant of the State of Bihar, there is no likelihood that he would flee from course of trial. He has also submitted that since the investigation is complete, no purpose would be served, if, the petitioner is taken into custody.

Considering the above-said facts and circumstances, this application is allowed.

Let the petitioner, above-named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Vigilance-I, Patna in connection with Special Case No. 09 of 2003 (arising out of Vigilance P.S. Case No. 09 of 2003), subject to the condition 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.)

A.K.V./-

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