

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9696 of 2016

Arising Out of PS.Case No. -44 Year- 2006 Thana -C.B.I CASE District- MUZAFFARPUR

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Ahmad Mahmood, Son of Late Abdul Moghni, Resident of New Azimabad Colony, Sanichra, Police Station Sultanganj, District - Patna.

.... Petitioner/s

Versus

The State of Bihar through Vigilance Investigation Bureau, Muzaffarpur.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abul Kalam, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 20-04-2016 Heard learned counsel for the petitioner and the learned counsel for the Vigilance.

The petitioner apprehends his arrest in connection with Vigilance P.S. Case No. 44 of 2006 registered under Sections 420, 465, 467, 468, 471, 477(A), 120-B of the Indian Penal Code and Section 13(1)(D)R/W 13(2) P.C. Act.

The accusation is that 11 persons named in the F.I.R. including the petitioner being the then B.D.O. of Saraiya Block, District- Muzaffarpur, did not take action on the complaint of black marketing of rice of Government Scheme by Mukhiya agent.

Learned counsel for the petitioner submits that the petitioner was posted as B.D.O. at Sariya Block on 26.03.2003 and

on that day he received the complaint from villagers regarding black marketing of rice of eight bags (four quintals) of Government Scheme by Mukhiya agent. Thereafter petitioner ordered on 27.03.2005 on the complaint to the Block Annual Husbandry Officer to inquire about the matter and report, which would appear from annexure 2 to the petition. The petitioner was transferred on 21.07.2003 and till that date the report was not submitted. As such, the petitioner has no concern with the black marketing of alleged rice.

Considering the aforesaid submissions, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Vigilance (North Bihar) Muzaffarpur, in connection with Vigilance P.S. Case No. 44 of 2006, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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