

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7350 of 2016

Arising Out of PS.Case No. -61 Year- 2013 Thana -C.B.I CASE District- PATNA

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Manoj Kumar Jha aged about 51 years, Son of Late Man Mohan, Resident of M.I.G. 6, Hanuman Nagar, P.S. - Patrakar Nagar, District - Patna, Proprietor of M/s Shyama Surgical and Chemical.

.... Petitioner/s

Versus

The State of Bihar through the Superintendent of Police, Cabinet Vigilance Department having his office at Bailey Road, Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vikas Mohan, Advocate

For the Opposite Party/s : Mr. Rama Kant Sharma, Sr. Advocate

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 12-05-2016 Heard learned counsel for the petitioner and the learned counsel for the Cabinet Vigilance Department.

Petitioner apprehends his arrest in connection with Vigilance P.S. Case No. 61 of 2013, Special Case No. 66 of 2013 registered for offences punishable under Section 13(2) read with Section 13(1)(d) of the Prevention of Corruption Act and Sections 406, 420 and 120(B) of the Indian Penal Code.

The prosecution case is that the petitioner being the proprietor of M/s Shyama Surgical and Chemical, having shop in Govind Mitra Road, Patna, has been alleged to have supplied medicines and surgical equipments to the Patna Medical College and Hospital, Patna and certain irregularities in the tender and supply during financial years 2008-09 and 2009-2010 have been

alleged.

It has been submitted by the learned counsel for the petitioner that petitioner has a clean antecedent and the Superintendent and other Doctors of the Patna Medical College and Hospital, Patna as also supplier have been granted the privilege of anticipatory bail by a Coordinate Bench of this Court in Cr. Misc. No. 1177 of 2014 and other analogous cases on 21.09.2015. He submits that case of the petitioner stands on similar footing to the case of co-accused, who have been granted the privilege of anticipatory bail. He further submits that the investigation in the aforesaid case is virtually complete. Counsel for the petitioner submits that the petitioner is willing to appear in the Court below as and when required and will accept the police papers as and when directed.

However, learned counsel for the Cabinet Vigilance Department submits that the petitioner should appear before the Vigilance Court on each and every date and should not absent himself without any valid reason. Learned counsel for the petitioner agrees to the aforesaid condition.

Under such facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of eight weeks from today,

be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of like amount each to the satisfaction of learned Special Judge Ist, Vigilance, Patna in connection with Vigilance P.S. Case No. 61 of 2013, Special Case No. 66 of 2013, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C.

(Nilu Agrawal, J.)

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