

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27542 of 2016

Arising Out of PS.Case No. -109 Year- 2015 Thana -C.B.I CASE District- PATNA

Sita Ram Pandey S/O Shri Chandeshwar Pandey, resident of Village-
Barakharjama, P.S.- Noorsarai, District- Nalanda, the then Panchayat
Sachiv, Eksara Panchayat, Ben, Nalanda

.... Petitioner/s

Versus

The State of Bihar through the Superintendent of Police, Vigilance
Department, Vigilance Investigation Bureau, Patna

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate
Mr. Brajesh Tiwary, Advocate
Mr. Ambrish Rahul, Advocate

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

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 17-09-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Special Case No. 65 of 2015 arising out of Patna Vigilance
P.S. Case No. 109 of 2015 registered for the offences punishable
under Sections 420, 467, 468, 471, 477A, 192, 201 and 120B of
the Indian Penal Code and Section 13(2) read with Section 13(1)
(D) of the Prevention of Corruption Act, 1988.

Learned counsel for the petitioner submits that the
present First Information Report has been lodged against large
number of persons for illegal appointment of Panchayat Teachers.



It is further submitted that the main accused is the Mukhiya in the present case. It is submitted on behalf of the petitioner that only after the entire proceedings for appointment are concluded, the matter reaches the Panchayat Sachiv, who issues the appointment letters. As such, the petitioner being the Panchayat Sachiv was only the signatory to the appointments made and had nothing to do with the process of appointments. The names were forwarded by the Mukhiya and the other members of the Panchayat. Learned counsel for the petitioner further submits that the Mukhiya of the village has been extended the privilege of anticipatory bail in Criminal Miscellaneous No. 20846 of 2016 vide order dated 10.08.2016. It is submitted that the enquiry is still under progress and the petitioner is willing to participate in the enquiry as and when required. He further submits that he shall also appear before the Vigilance Court and since all documents have already been taken in possession by the Vigilance, there is no apprehension that the petitioner will tamper with the evidence and/or abscond as he is a government servant.

Considering the aforementioned submissions, the nature of allegations made and the enquiry is still in progress, to which the petitioner agrees to cooperate, let the above named petitioner, in the event of his arrest or surrender before the court

below within a period of four weeks from the date of receipt/production of a copy of this order, 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 learned Special Judge Vigilance 1st Patna in connection with Special Case No. 65 of 2015 arising out of Patna Vigilance P.S. Case No. 109 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

It is, however, made clear that the petitioner shall appear in the court below as and when required and shall apprise the Court of his change in posting as and when they are so made.

(Anjana Mishra, J)

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