

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.8991 of 2016

Arising Out of PS.Case No. -57 Year- 2009 Thana -C.B.I CASE District- PATNA

1. Ram Sanjiwan Singh @ Ram Sanjivan Singh Son of Late Paspal Singh the then Junior Engineer, Maner Block, Maner, Patna at present posted Junior Engineer, Rural Works Department, Sonapur, District - Saran (Chapra).

.... Petitioner/s

Versus

1. The State of Bihar Through D.g. Vigilance

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudha Chandra, Advocate

For the Opposite Party/s : Mr. Ramakant Sharma (Law Off. Vig)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

5 17-05-2016 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the Vigilance.

The petitioner being Junior Engineer, I/C of Construction work, apprehends his arrest in connection with Special Case No. 45 of 2009 arising out of Vigilance P. S. Case No. 57 of 2009 registered for offences punishable under Sections 467, 468, 471, 477(A), 420, 409 and 120 (B) of the Indian Penal Code and Section 13 (2) read with Section 13 (1) (d) of the Prevention of Corruption Act, 1988.

The petitioner has been charged with regard to certain irregularities in the construction work for the period 2002 to 2006. As per the case diary, it has come on record that there are cogent

materials available against him. However, for implementation of certain schemes, petitioner was posted between 2002 to 2004 and it has been submitted by the counsel for the petitioner that he can not be saddled with the responsibilities and liabilities for the period after 2004. He further submits that the petitioner having cooperated in the investigation and charge sheet has now been submitted vide charge-sheet No. 107 of 2014 dated 16.12.2014. Learned counsel for the petitioner also submits that the case of Junior Engineer similarly placed, has since been granted the privilege of anticipatory bail in Cr. Misc. No. 36539 of 2015 vide order dated 21.12.2015 by a Co-ordinate Bench of this Court for similar allegations.

Learned counsel for the Vigilance submits that there are enough materials and charge sheet has already been submitted against this petitioner and now the case is ready for trial.

However, considering the fact that the petitioner is a Government employee, charge sheet having been submitted and on similar allegations another co-accused has already been granted bail, let the above named petitioner 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 bonds of Rs. 10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of Special Judge, Vigilance 1st, Patna in Special Case No. 45 of 2009 arising out of Vigilance P.S. Case No.

57 of 2009, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

It is made clear that the petitioner shall make himself available before the Court below as and when required.

With the aforesaid direction, the application is, accordingly, disposed of.

(Nilu Agrawal, J)

Sudha/-

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