

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 38039 of 2016

Arising out of P.S. Case No. -109 Year- 2015 Thana -Vigilance
District- PATNA

Binayak Kumar Sudhakar, Son of Sri Krishna Prasad, Resident
of Village - Babhaniwayan, Police Station - Ben, District -
Nalanda.

.... Petitioner/s

Versus

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

.... Opposite Party/s

with

Criminal Miscellaneous No. 38098 of 2016

Arising out of P.S. Case No. -109 Year- 2015 Thana -Vigilance
District- PATNA

1. Sunita Kumari, Daughter of Satendra Kumar, Resident of
Village- Babhanbiwaya, Police Station- Ben, District-
Nalanda.
2. Pramila Kumari @ Parmila Kumari, Daughter of Harendra
Kumar, Resident of Village- Lachhu Bigha, Police Station-
Nagarnausa, District- Nalanda.
3. Renu Kumari, Daughter of Harendra Kumar, Resident of
Village- Lachhu Bigha, Police Station- Nagarnausa, District-
Nalanda.

.... Petitioner/s

Versus

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

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.38039 of 2016)

For the Petitioner/s : Mr. Ranjan Kumar Singh, Adv.

For the Opposite Party/s: Mr. Rabindra Kumar A.C. to
: Sri. Ramakant Sharma, Sr. Adv. (L.O.,I/C Vig.)

(In Cr.Misc. No.38098 of 2016)

For the Petitioner/s : Mr. Ranjan Kumar Singh, Adv.

For the Opposite Party/s: Mr. Rabindra Kumar, A.C. to
: Sri Rama Kant Sharma, Sr. Adv. (L.O.,I/C Vig.)

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL ORDER

02. 26.09.2016

Heard learned counsel for the petitioners and the Vigilance.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 420, 467, 468, 477(A), 192, 201 and 120B of the Indian Penal Code and Sections 13(2) read with Section 13(1)(d) of the Prevention of Corruption Act.

It is contended on behalf of the petitioners that as per the inquiry report itself it is apparent that the petitioners were within the fourteen persons appointed in the year 2008 as Panchayat Teachers and there is no allegation that the petitioners have submitted any fake certificate etc. for getting appointment.

Learned counsel appearing for the Vigilance submits that Mukhiya and Panchayat Secretary had illegal motive for appointment of the Panchayat Teachers.

Per contra, it is submitted that there could be assigned no role on the petitioners and similarly situated co-accused persons have been granted by a Co-ordinate Bench of this Court vide order dated 20.08.2016 passed in Cr. Misc. No. 26032 of 2016.

Having regard to the facts and circumstances of the case, let the petitioners, namely, Binayak Kumar Sudhakar,

Sunita Kumari, Pramila Kumari and Renu Kumari be released on bail in the event of their arrest/surrender before the court below within a period of six weeks from today in connection with Special Case No. 65/2015 arising out of Vigilance P.S. Case No. 109 of 2015, on furnishing bail bonds of Rs.10,000 (Ten Thousand Rupees) each with two sureties of the like amount each to the satisfaction of Special Judge, Vigilance-1, Patna subject to the conditions as laid down under sub-section (2) of Section 438 of the Code of Criminal Procedure.

(Dr. Ravi Ranjan, J.)

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