

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32539 of 2017

Arising Out of PS.Case No. -70 Year- 2010 Thana -C.B.I CASE District- PATNA

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Ramashish Yadav, son of Late Lakhan Yadav, resident of village-Barauni-1, P.O.-Barauni Deodhi, P.S.-Teghra, District Begusarai.

.... Petitioner.

Versus

The State of Bihar through the Vigilance Department

.... Opposite Party.

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Appearance :

For the Petitioner/s : Md. Hussamuddin Azad

For the Opposite Party/s : Mr. Ramakant Sharma (L.O.,Inc.,Vigilance)

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

02 13-07-2017 Heard learned counsel for the petitioner and learned A.P.P. for the State.

Petitioner seeks regular bail in connection with Special Case No.26 of 2010, arising out of Patna Vigilance P.S. Case No.70 of 2010, registered for the alleged offences under Sections 467, 468, 466, 477-A, 120-B, 420 and 201 of the Indian Penal Code.

As per the prosecution case, the petitioner was posted as Assistant in the Land Acquisition Office. The Land Acquisition Officer, namely, Tulsi Hazara demanded Rs.15,00,000/- as graft for payment of compensation. He got opened the bank account of beneficiaries in connivance of petitioner. They kept the passbook with him and after credit of compensation money in the said account, he had withdrawn it. The petitioner had also received



Rs.3.10 lacs as bribe.

It has been submitted by learned counsel for the petitioner that the petitioner was Assistant in the office and has no concern with payment of compensation amount. The allegation of withdrawing money from the bank is on the Land Acquisition Officer, namely, Tulsi Hazara. None of the beneficiary has made any complaint against the petitioner regarding withdrawal of amount by him. Similarly situated co-accused person, namely, Chandra Mohan Ram has been granted anticipatory bail by a co-ordinate Bench of this Court in Cr. Misc. No.33651 of 2012 vide order dated 05.09.2012. He has been languishing in jail custody since 28.02.2017.

In the facts and circumstances of the case, the petitioner above named is directed to be enlarged on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of like amount each to the satisfaction of learned Special Judge, Vigilance-II, Patna in connection with Special Case No.26 of 2010, arising out of Patna Vigilance P.S. Case No.70 of 2010.

(Prakash Chandra Jaiswal, J.)

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