

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31776 of 2017

Arising Out of PS.Case No. -23 Year- 2017 Thana -VIGILANCE District- PATNA

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Sujit Kumar, Son of Late Kameshwar Prasad, resident of Flat No. 202,
AB Enclave, Urja Gram, P.S. Rajiv Nagar, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Cabinet Vigilance, Bihar, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 24-08-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail in connection with Special Case No. 18 of 2017 arising out of Vigilance P.S. Case No. 23 of 2017, disclosing offences under Sections 147, 148, 149, 323, 341, 307, 342, 325, 323, 353, 452 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that there is general and omnibus allegation against this petitioner and no specific overt act is attributed to him. The main allegation of taking money is attributed to co-accused Sharda Choudhary. In fact, the petitioner happens to be Executive Engineer, PHED, Sasaram and neither any fund was available



with the him nor any bill of the complainant was pending with the petitioner on the alleged date of occurrence, therefore, no occasion of illegal demand made by the petitioner arises. Hence, the petitioner also deserves the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, 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. 18A of 2017 arising out of Vigilance P.S. Case No. 23 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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