

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36961 of 2017

Arising Out of PS.Case No. -1 Year- 2017 Thana -C.B.I CASE District- MUZAFFARPUR

=====

1. Birendra Choubey @ Birendra Kumar Choubey, Son of Srikant Choubey, Resident of Choubey Tola, Ward No. 10, Alapur, Barauli, P.S.- Barauli, District- Gopalganj, Proprietor- Amar Intelo.

.... Petitioner/s

Versus

1. The State of Bihar through the Director General, Vigilance, Bihar, Patna.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Y.V. Giri, Sr. Adv.
: Mr. Ravi Kumar Panday, Adv.
: Mr. Awadhesh Kumar Pandey, Adv.

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

=====

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 20-09-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Vigilance Police Station Case No. 01 of 2017, Special Case No. 03 of 2017, disclosing offences under Sections 406, 409, 467, 468 and 120(B) of the Indian Penal Code and 13(2), 13(1)(c)(d) of the P.C. Act.

Learned counsel for the petitioner has submitted that the petitioner, who is of clean antecedent, is innocent and has not committed any offence. In fact, the petitioner happens to be proprietor of Amar Intelo after being selected in tender entered in to an agreement with the Nagar Parishad, Siwan for supply of LED lights, which is evident from annexure-2, and the petitioner has completed the work as per the work order issued by competent



authority and obtained Work Completion Certificate, which is evident from annexure-3. The petitioner is nowhere involved in any misappropriation of government fund as he being the supplier as per agreement has supplied the materials as per the work order only. He has no concern with intra departmental activities. Moreover, co-accused, Karanjeet Singh, Abhina Shrivastava, Abdul Khalik, Avinash Kumar Singh and Anuradha Gupta @ Anuradha Devi, having more or less similar allegation, has also been granted anticipatory bail by a co-ordinate Bench of this Court in Cr. Misc. No. 28582 of 2017, 30909 of 2017 and 24476 of 2017. Hence, the petitioner 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 North, Bihar, Muzaffarpur, in connection with Vigilance Police Station Case No. 01 of 2017/ Special Case No 03 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

brajesh/-

U		T	
---	--	---	--

