

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46886 of 2017

Arising Out of PS.Case No. -20 Year- 2017 Thana -VIGILANCE District- PATNA

=====

Pankaj Kumar, Son of Bindeshwari Paswan @ Bindeshwari Das, Resident of Village- Kashta, Harni Ghat, P.S.- Kotwali, District- Munger, the then Head Clerk, D.R.D.A. Munger.

.... Petitioner/s

Versus

The State of Bihar through the Department of Vigilance, Government of Bihar At Patna.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bhim Kumar Yadav, Advocate.

For the Opposite Party/s : Mr. Kedar Singh, Adv. A.C. to Mr.
Ramakant Sharma (L.O.,Inc.,Vigilance)

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 11-10-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Vigilance P.S. Case No. 20 of 2017 instituted for the offence under Sections 109, 409, 420, 467, 468, 471, 120(B) of the Indian Penal Code and Sections 13(2) read with Section 13(1)(C)(D) of Prevention of Corruption Act.

There is allegation that on the basis of forged letter No. 2725 dated 21.03.2007, the employees of District Rural Development Agency, Munger, were granted ACP and they withdrew government money.

Learned counsel for the petitioner has submitted that he was not the beneficiary of the A.C.P. He was posted as Head Clerk in DRDA Munger at the relevant time. It has further been submitted that excess amount withdrawn by the beneficiary has already been



deposited which is apparent from Annexure-2. It has further been submitted that other co-accused persons have already been granted anticipatory bail by this Court vide order dated 07.09.2017 passed in Cr. Misc. 40833 of 2017.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Vigilance P.S. Case No. 20 of 2017 corresponding to Special Case No. 15 of 2017, he shall be released on anticipatory 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, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

S.Ali/-

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

