

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40442 of 2017

Arising Out of PS.Case No. -3 Year- 2017 Thana -VIGILANCE District- PATNA

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1. Dharmendra Uraon, S/o Sundar Lal Uraon, Resident of Village- Danka,
P.O.- Mohan Kund, P.S.- Sadar, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar Through The Cabinet Vigilance

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Mohammad Shabbir Alam

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 03-10-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Special Case No. 01 of 2017 arising out of Vigilance P.S. Case No. 03 of 2017 instituted for the offence under Sections-420, 409, 467, 468, 120(B) of the Indian Penal Code and Sections-13(1)(2) and 13(1)(d) of Building Constructions Act, 1988.

It has been submitted on behalf of the petitioner that he took charge of supervision of the said school vide memo No. 1650/Patna dated 03-11-2012 whereas the said work commenced in the year, 2011 and by the time the petitioner took charge, the work of piling etc. was completed. It has further been submitted that the entire construction was made properly under the supervision of concerned authorities, for which, NOC was also issued by the department which has been enclosed at page 80 of Annexure-1 wherein it has been mentioned that



construction work was made as per map and specifications, under the Supervision of earlier engineers.

Counsel for the Vigilance appeared and opposed the prayer.

Taking into consideration the aforesaid facts and circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Special Case No. 01 of 2017 arising out of Vigilance P.S. Case No. 03 of 2017 to the satisfaction of learned Special Judge (Vigilance)-Ist, Patna subject to condition as laid down u/S 438(2) of the 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)

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