

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36028 of 2017

Arising Out of PS.Case No. -533 Year- 2011 Thana -BHABHUA District- BHABHUA (KAIMUR)

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1. Hari Shankar Pandey, son of Late Sheoperson Pandey, Resident of Village- Bhagwanpur, P.S.- Bhagwanpur, District- Kaimur at Bhabua.

.... Petitioner/s

Versus

The State of Bihar Through The Director General, Vigilance Investigation Buresu, Bihar Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Pandey

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

6 17-10-2017 Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Special Case No. 7 of 2012, disclosing offences under Sections 409, 420, 467, 468, 471, 120(B) and 34 of the Indian Penal Code and Section 13(1)(D) of the Prevention of Corruption Act, 1988.

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 has not been named in the F.I.R. rather the instant F.I.R. has been lodged against one Dr. Uchit Lal Mandal, who happens to be the then Civil Surgeon, Kaimur at Bhabua and has already been granted



bail by a co-ordinate Bench of this Court in Cr. Misc. No. 27053 of 2012. Moreover, co-accused, Dr. Idrish Jauheer @ Md. Idrish Johar and Dr. Punit Kumar Singh @ Dr. Punit Singh, having more or less similar allegation, have also been granted anticipatory bail by a co-ordinate Bench of this Court in Cr. Misc. No. 55553 of 2016 and Cr. Misc. No. 28719 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- 1st, Vigilance, Patna in connection with Special Case No. 7 of 2012 arising out of Bhabhua P.S. Case No. 533 of 2011, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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