

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.30197 of 2017**

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

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Sanjay Kumar son of Jayendra Prasad Singh, resident of Village- Akhtiarpur, P.S.- Karghar, District- Rohtas. At presently resident of Village- Sakeri, P.S.- Kudra, District- Kaimur, Administrator Mata Bhagyamani Devi Hospital, Sakri More, Kudra.

.... .... Petitioner

Versus

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

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ansul

For the Opposite Party/s : Mr. Rama Kant Sharma, Sr. Advocate  
Mr. Rabindra Kumar, AC to Vigil L/o

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA**

**ORAL ORDER**

5      21-11-2017                      Heard learned counsel for the petitioner and the learned counsel appearing on behalf of Vigilance department.

The petitioner apprehends his arrest in connection with Special Case No. 07 of 2012 (Bhabua P.S. Case No. 533 of 2011) registered under Sections 420, 409, 467, 468, 471/34 and 120-B of the Indian Penal Code and Section 13(1)(D) of the Prevention of Corruption Act.

The accusation is that in course of investigation it was detected that Rs. 84,000/- was given to Mata Bhagyamani Devi Hospital, which was being run by the petitioner under the Family Planning (sterilization), but in audit the said amount was found unutilized by the petitioner.

Learned counsel for the petitioner submits that, in fact, in



course of enquiry the petitioner being the owner of the Mata Bhagyamani Devi Hospital supplied the list of 56 persons, who were operated in his hospital under the Family Planning (sterilization) scheme, but the same was not verified. Moreover, the petitioner is ready to pay Rs. 84,000/-, which is said to be defalcated, on protest, in the concerned department within one month.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail in the event of his arrest or surrender before the learned Court below within six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Vigilance 1<sup>st</sup>, Patna in connection with Special Case No. 07 of 2012 (Bhabua P.S. Case No. 533 of 2011), subject to the condition as laid down under Section 438 (2) of the Cr.P.C. and on submission of receipt of Rs. 84,000/- deposited in the concerned department.

**(Rajendra Kumar Mishra, J)**

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