

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7980 of 2017

Arising Out of PS.Case No. -144 Year- 2003 Thana -ARA NAWADA District- BHOJPUR

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Narendra Kumar Pandey, S/o Late Sachita Nand Pandey, R/o vill. - Barap,
P.S. Agiaon (Garhani), Distt. - Bhojpur

.... Petitioner

Versus

The State of Bihar through the Director Vigilence, Bihar, Patna

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Santosh Kumar Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 03-04-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with Special Case No. 16 of 2005 registered for the offences punishable under Sections 406, 409, 468, 467, 471, 477(a) of the Indian Penal Code and 13(2), 13(1) (c)(d) of Prevention of Corruption Act, arising out of Ara Nawada P.S.Case No. 144 of 2003.

It has been submitted on behalf of the petitioner that petitioner has not taken a single penny of the allotment of scholarship amount and it has come during investigation that an account in the name of the petitioner has been opened in Indian Bank, Ara Branch and there is photograph of the petitioner in that account. It has further been submitted that petitioner has not opened the Bank account and he has requested the I.O. for verification of the signature of account holder of that account but



he has not taken any step and in the case diary it has come that Assistant of the District Welfare Office as well as District Welfare Officer have also been made account in this case and they have been granted bail, which is evident from paragraph-16 of the bail application and petitioner is in custody for four months and now charge-sheet has been submitted in this case and petitioner is an old person of 75 years of age.

Heard learned counsel for the Vigilance Department, who has not controverted the fact that one Niru Kant Ram is the main accused in this case and he has pointed out that amount has been allotted to the petitioner's college also but so far about signature of the petitioner, he could not show as to which signature of the petitioner in Bank account has been verified or not. He has drawn my attention towards paragraphs 41 of 65 also of the case diary in which petitioner has made his self statement.

Having heard both sides and considering the aforesaid submission as well as the fact that charge-sheet has been submitted in this case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Vigilance 1st , Patna, in connection with Special Case No. 16 of 2005, arising out of Ara



Nawada P.S.Case No. 144 of 2003, subject to the conditions that :-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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