

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 21764 of 2017

Arising Out of PS.Case No. -401 Year- 2014 Thana -SAKRA District- MUZAFFARPUR

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Narendra Kumar, S/o late Dr. Mithila Saran Pandey the then Anchaladhikari (Circle Officer, Sakra) At present, Co-operative Extension Officer, Chhapra at Saran Permanent Address : resident of Mohalla-Kankarbagh, P.S.- Kankarbagh, District- Patna.

.... Petitioner

Versus

The State of Bihar through the Vigilance Investigation Bureau, Bihar, Patna.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.

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

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 01-07-2017 Heard Sri Sanjay Kumar @ S.K., learned counsel for the petitioner and Sri Rama Kant Sharma, learned Senior Law Officer for the Vigilance Investigation Bureau.

The petitioner, apprehending his arrest in Special Case No. 57 of 2014 (arising out of Sakra P.S. Case No. 401 of 2014) registered for offence under Sections 13/14 of the Prevention of Corruption Act, 1988 (for short "P.C.Act"), has prayed for grant of bail in the event of arrest or surrender, primarily; on the ground that case was initiated on the basis of a complaint filed by one Amit Kumar, vide Complaint Case No. 191 of 2012, and in the complaint petition, completely false accusation has been made not only against the petitioner but also against the Medical Officer,



Referral Hospital, Sakra, B.D.O., Sakra and Deputy Collector, Sakra regarding number of different allegations. So far as petitioner is concerned, it was alleged that petitioner had sold *sisam* trees on low value, whereas, learned counsel for the petitioner submits that those woods were waste woods and as per rate prescribed, it was sold. He further submits that other two accused persons namely Dr. Md. Irshad Alam and Sudhir Kumar, the then B.D.O., Sakra were granted privilege of anticipatory bail, vide Cr.Misc. No. 8917 of 2017 and Cr.Misc. No. 12534 of 2017 respectively. He makes a prayer that the petitioner deserves to be enlarged on anticipatory bail on the point of parity.

Sri Sharma has opposed the prayer for grant of anticipatory bail, however; he was not in a position to dispute the fact that other accused persons have been extended the privilege of anticipatory bail.

Considering the fact that other two accused persons have already been extended the privilege of anticipatory bail in a case initiated on the basis of complaint filed by a private person under the P.C.Act, the Court is of the opinion that there is no reason to deny the same relief to the petitioner.

Accordingly, in the event of arrest or surrender within a period of six weeks from today, let the petitioner namely



Narendra Kumar be enlarged 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, Vigilance (North Bihar), Muzaffarpur in connection with Spl. Case No. 57 of 2014 (arising out of Sakra P.S. Case No. 401 of 2014), subject to condition as laid down under Section 438 (2) of the Cr.P.C.

(Rakesh Kumar, J.)

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