

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23810 of 2017

Arising Out of PS. Case No.-1 Year-2010 Thana- VIGILANCE District- Patna

Awadhesh Kumar Singh, , S/o Late Braj Bhushan Singh, , Resident of M-35,
Shri Krishna Nagar, P.S. Budha Colony, District- Patna.

... .. Petitioner/s

Versus

State of Bihar through the Superintendent of Police, Special Vigilance Unit,
Vigilance Investigation Bureau, Bihar, Patna., ,

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajiv Kumar Singh

For the Opposite Party/s : **Mr. RAMA KANT SHARMA(L.O./C VIGI)**

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

5 20-07-2017

Heard learned Counsel for the petitioner and learned Senior Counsel representing the Vigilance Department.

This application, for grant of anticipatory bail, arises out of Special Case No. 57 of 2010 (SVU Police Station Case No. 01 of 2010), disclosing offences under Sections 467/468/471/193/120B of the Indian Penal Code and Sections 13 (2) read with Section 13 (1) (e) of the Prevention of Corruption Act, 1988.

The First Information Report was registered in the year 2010. Though the petitioner participated in the process of investigation, he was never arrested. The charge sheet has



been submitted on 02.12.2015, whereafter cognizance has been taken. The petitioner has been summoned before the Court below.

Learned Senior Counsel appearing on behalf of the petitioner has submitted that during investigation, the petitioner co-operated with the investigating agency. he has submitted that no purpose would be served now if he is taken into custody in connection with the said case where charge sheet has already been submitted and there is no likelihood that the petitioner will either tamper with the evidence or flee from the course of trial. It has been undertaken on behalf of the petitioner that he shall present himself before the learned Court below for trial, as and when required, except in exceptional circumstances.

Considering the submissions, as above, this application is allowed.

Let the petitioner, Awadhesh Kumar Singh, 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, Vigilance I, Patna, in connection with Special Case No. 57 of 2010 (SVU



Police Station Case No. 01 of 2010, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

anand/-

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