

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40336 of 2017

Arising Out of PS.Case No. -82 Year- 2015 Thana -VIGILANCE District- PATNA

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1. Ram Kuwar Singh Yadav, son of Ram Prasad Singh Yadav, R/o Village- Birbalpur, P.S.- Rajpur, District- Buxar, presently posted as Clerk in the office of the District Education Officer, Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Vigilance.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rana Ishwar Chandra, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 11-12-2017

Heard learned counsel for the petitioner and learned counsel for the Vigilance.

Petitioner apprehends his arrest in **Vigilance P.S. Case No.82 of 2015** instituted for the offence under Section(s) 420, 201, 120-B Indian Penal Code and Section 13(2) read with 13(1)(d) of the Prevention of Corruption Act.

Counsel for the petitioner has submitted that as per Annexures-2 and 3, during enquiry, Clerk, Amrendra Kumar, who is already suspended, was found guilty of getting the necessary documents relating to appointment of contract teachers traceless. This petitioner was in-charge Clerk and he was given the keys by Amrendra Kumar. Petitioner was not the Clerk at the relevant time. It has further been submitted that the said Amrendra Kumar has already been granted anticipatory bail by a



co-ordinate Bench of this Court by order dated 23.05.2016 passed in Cr. Misc. No.20956 of 2016.

Counsel for the Vigilance has appeared and opposed the prayer for bail.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with **Vigilance P.S. Case No.82 of 2015**, he shall be released on anticipatory bail on furnishing bail bond of `10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Special Judge, Vigilance, 1st, Patna**, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions: (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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