

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39005 of 2017

Arising Out of PS. Case No.-89 Year-2017 Thana- MAUZAHDIPUR District- Bhagalpur

Mukesh Kumar Sinha, S/o Late Maheshwar Prasad Sinha, presently posted as Clerk, Sub Division Office, Bhagalpur, Presently residing at Government Quarter No.20, Mohalla- Bari Khanjarpur, Jhauakothi, P.S.- Barari, District- Bhagalpur, Permanent resident of Mohalla- Freinds Colony, Road No.4, P.S.- Rajiv Nagar, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar Through Vigilance Cabinet, 6 Circular Road , Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha
For the Opposite Party/s : Mr. RAMAKANT SHARMA
(L.O.,INC.,VIGILANCE)

**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL**

ORAL ORDER

3 19-09-2017 Heard Mr. B. P. Pandey for the petitioner and learned counsel for the Vigilance.

The petitioner apprehends his arrest in Mojahidpur (Babarganj) P.S. Case No. 89 of 2017 corresponding to Special Case No. 07 of 2017 registered under sections 420, 465,468, 477(A)/34 IPC and section 7 of the Prevention of Corruption Act.

In the matter of allotment of a kiosk and realization of the rent, the prosecution alleges that the petitioner misappropriated a huge amount with the connivance of the then S.D.O.

learned counsel for the petitioner submits that the



petitioner, in fact, made statement during investigation with regard to the excess realization made by the then S.D.O. He further submits that after institution of the case, he has been suspended and is facing departmental inquiry. He also takes a stand that for obtaining the privilege of anticipatory bail, the petitioner shall be ready and willing to deposit certain amount as directed by the court without prejudice to his right and contention.

Learned counsel for the Vigilance, on the other hand, submits that the complicity of the petitioner in the offence has surfaced in course of investigation.

Considering the submissions made at Bar, it is directed that the petitioner, above named, in the event of arrest/surrender within 04 weeks from today, shall be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each, to the satisfaction of learned Special Judge, Vigilance-II, Patna in Mojahidpur (Babarganj) P.S. Case No. 89 of 2017 corresponding to Special Case No. 07 of 2017 on condition that one of the bailors of the petitioners shall be his own/close family member. Along with the bail bonds, the petitioner shall enclose document/paper showing deposit of Rs. 30,000/- in



the office of the SDM, Bhagalpur under appropriate head
which shall be without prejudice to his right and contention.

(Kishore Kumar Mandal, J)

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