

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22075 of 2017

Arising Out of PS.Case No. -1 Year- 2012 Thana -ECONOMIC OFFENCE District- DARBHANGA

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Jawala Prasad Singh Son of Late Uday Bhanu Singh, Resident of Village-
Harhachcha, P.S. Baheri, District Darbhanga.

.... Petitioner/s

Versus

The State of Bihar through Economic Offence, Patna Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md.Imteyaz Ahmad

For the Opposite Party/s : Mr. V.N.P. Sinha (Eou Unit)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

3 07-06-2017 Heard learned counsel for the petitioner, State and

counsel appearing on behalf of economic offence.

The petitioner is an accused in connection with economic offence P.S. Case No. 01 of 2012 for the offence under sections 406, 409, 420, 465, 468, 471 and 120-B of the Indian Penal Code and section 13(1) read with 13(1)(d) of the Prevention of Corruption Act.

The case was registered with regard to misappropriation of fund of Indira Awas Yojana. The petitioner is accused in this case as he was holding the post of Assistant Account Clerk. In this case, the Block Development Officer, the then Mukhiya, the successor Block Development Officers, Panchayat Sewak and even In-charge of Indira Awas Yojna were



allowed bail.

In view of the facts that those who were holding key position in relation to the execution of Yojana were granted bail.

The counsel for economic offence is unable to distinguish the case. He submitted that the petitioner may be granted bail on the same terms and conditions as contained in Anneure-3.

In view of the aforesaid facts and circumstances, let the petitioner, named above, 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, North Bihar, Muzaffarpur, in connection with Economic Offence P.S. Case No.01 of 2012 on the same conditions as contained in Annexure-3 at page 28 and 29 which is quoted for ready reference:-

- (a) The petitioner shall not influence the witnesses or tamper with any document;
- (b) At the time of furnishing the sureties, the petitioner shall furnish his address to the Court and shall not change his address till the final disposal of the case or till further orders in that regard;
- (c) The petitioner shall not leave the limits of India without prior permission of the trial Court;



(d) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court;

(e) The petitioner shall not do any act prejudicial to the interest of the prosecution;

(f) The petitioner shall receive the police report and other documents in terms of Section 207 of the Code of Criminal Procedure as and when the same is supplied to him by the Court;

(g) The petitioner shall abide by the above conditions scrupulously and in case of violation of any of the conditions, the prosecution would be at liberty to move this Court for cancellation of bail; and

(h) One of the sureties must be a Government servant/elected people's representative of Panchayat/Municipality; and the other one shall be a close relative.

(Anil Kumar Upadhyay, J)

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