

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34092 of 2017

Arising Out of PS.Case No. -36 Year- 2006 Thana -VIGILANCE District- PATNA

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1. Akramul Haque, son of late Md. Ashmullah, resident of village- Navi Nagar, P.S.- Dulhin Bazar, District- Patna.

.... Petitioner/s

Versus

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

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate

For the Opposite Party/s : Mr. Ramakant Sharma, L.O, I/c, Vigilance

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 11-10-2017

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in Special Case No.08 of 2006 arising out of Vigilance P.S. Case No.36 of 2006 instituted for the offence under Section(s) 420, 409, 465, 467, 471, 477-A, 120-B Indian Penal Code and Sections 13(1)(C) read with Section 13(2) of the Prevention of Corruption Act.

Counsel for the petitioner has submitted that from the First Information Report itself, it will be evident that Technical Cell of Vigilance Department had verified altogether 16 schemes and the petitioner has been found to be involved in two schemes. An enquiry was also held by the Chief Engineer of the department, who did not find him guilty and gave him clean chit, and even no departmental proceeding was initiated against



the petitioner.

Counsel for the petitioner has further submitted that the petitioner has retired from service on 28.02.2011. Another co-accused has already been granted anticipatory bail by a co-ordinate Bench of this Court by order dated 19.09.2017 passed in Cr. Misc. No.41473 of 2017.

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 Special Case No.08 of 2006 arising out of Vigilance P.S. Case No.36 of 2006, 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 II, 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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