

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61197 of 2017

Arising Out of PS.Case No. -438 Year- 2017 Thana -GOPALGANJ TOWN District- GOPALGANJ

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1. Ranvijay Kumar @ Ranvijay Kumar Singh S/o Sri Kameshwar Kumar Singh, R/o Village- Govind Fukkaha, P.S.- Kanti, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar, Through Vigilance Department, Patna.

.... Opposite Party/s

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with

Criminal Miscellaneous No.63540 of 2017

Arising Out of PS.Case No. -438 Year- 2017 Thana -GOPALGANJ TOWN District- GOPALGANJ

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1. Rahul Kumar S/o Sri Birendra Sharma, R/o Village- Babhan Toli, P.S.- Goraul, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar, Through Vigilance Department, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. S.A. Alam, Adv.
Mr. Anjum Perveen, Adv.
For the Opposite Party/s : Mr. Amresh Kumar,
AC to Law Officer, Vigilance

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 19-01-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioners of Cr. Misc. No. 61197 of 2017 and
Cr. Misc. No. 63540 of 2017 are in custody since 27.09.2017 in
connection with Special Case No. 34 of 2017 arising out of
Gopalganj Town P.S. Case No. 438 of 2017 for the offence



registered under Sections 419, 420/34 of the Indian Penal Code and Sections 7,8 and 9 of the Prevention of Corruption Act 1988.

The allegation against the petitioners is that they were indulged in extortion of money from the *MANREGA* worker/employees.

It is alleged that the Auditor (petitioner of Cr. Misc. No. 63540 of 2017) and the petitioner, Ravijay Kumar @ Ranvijay Kumar Singh had gone to the hotel, where the Audit Team had been staying and for giving favourable report, they had been demanding/taking money from the concerned persons. It is further alleged that the petitioners were present in Room No. 201 of Vailabhaw Hotel and a total sum of Rs. 1,45,300/- was recovered from the room alongwith three mobile sets. The matter was reported to the District Magistrate-cum-Collector and at the instruction of District Magistrate-cum-Collector, the present prosecution against the petitioners was started and they were taken into custody.

Learned counsel for the petitioners submits that now, the investigation against the petitioners has been completed and charge sheet has also been submitted. It is further submitted that there is no likelihood of tampering of evidence as all the records have been seized by the vigilance and the investigation has taken



its normal course. He further submits that they shall make them available for receiving police papers and shall cooperate in the trial which has been ensued.

Be that as it may, since the charge sheet has been submitted, let the petitioners, above named, 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 Special Judge Vigilance North Bihar, Muzuffarpur in connection with Gopalganj Town P.S. Case No. 438 of 2017, subject to the conditions:-

(1) One of the bailors will be his own relative, namely, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in Court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons his bail bonds shall be liable to be cancelled by the learned Court concerned.



(4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

However, it is made clear that it shall be open to the Court below to take necessary steps, if, at all, the petitioners would not cooperate or obstruct in the progress of the trial.

(Anjana Mishra, J)

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