

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34251 of 2018

Arising Out of PS. Case No.-5 Year-2002 Thana- ASHTHWAN District- Nalanda

Yadu Nandan Choudhary S/o Late Sohrai Choudhary, R/o Bodhi Bigha, P.S.-
Chanai, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar Through Vigilance Deptt. Bihar, Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha

For the Opposite Party/s : Mr. Ramakant Sharma(L.O.,Inc.,Vigilance)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 23-07-2018 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
Ashthawan P.S. Case No. 05 of 2002, registered for the offences
punishable under Sections 13 and 14 of the P.C. Act.

In pursuance to the order dated 26.06.2018, show cause
reply has been filed by the Special Judge, Vigilance, Ist Patna.

For the reasons mentioned in the letter of the Special
Judge dated 05.07.2018, the proceedings are dropped as against
the Special Judge, Vigilance, 1st Patna, however, with a direction
to him to find out as to how many cases are pending for want of
supply of copy of the police papers by the prosecution as well as
ensure supply of copy of the police papers by the prosecution in
each of such cases within a period of four weeks from today. A
detailed report be sent to the Registrar General of this Court for



ensuring that no case is pending for supply of copy of the police paper as far as the learned Court of Special Judge, Vigilance, 1st Patna is concerned.

The aforesaid exercise should be completed within a period of four weeks and report be submitted on or before 25.08.2018 before the Registrar General of this Court.

It is made clear that even if the Special Judge, Vigilance, 1st, Patna is required to take coercive steps against the persons concerned, responsible for not supplying the police papers, he shall take such action.

Now coming to the present case, it is submitted that though the case was instituted in the year 2002 and the petitioner had appeared continuously after being granted bail till 04.12.2013, but till date, no charge was framed, however, on 20.03.2017, when the case was taken up for hearing, the petitioner had defaulted in appearing before the learned court below, hence, his bail bond was cancelled by an order dated 21.03.2017 and thereafter, the petitioner had surrendered before the learned court below on 21.05.2018, however, the prayer for bail has been rejected by the learned trial court.

For the reasons mentioned in the present petition, the petitioner is directed to be released on regular bail subject to



him depositing a sum of **Rs. 5,000/- with the Patna High Court Legal Services Committee** within a period of four weeks from today and subject to such other conditions as may be imposed by the learned Special Judge (Vigilance) 1st, Patna in connection with Special Case No. 03 of 2002.

The present petition is disposed of with the aforesaid directions.

(Mohit Kumar Shah, J)

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