

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30654 of 2018

Arising Out of PS. Case No.-61 Year-2013 Thana- VIGILANCE District- Patna

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Ranjit Kumar S/o Late Bishwanath Prasad, Prop. Bhawani Enterprises,
Fraser Road, Patna R/o Nehru Tola, Begampur, P.S.- Chowk, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar, Through D. G. Vigilance.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kr. Singh & Ms. Sudha Chandra, Advs.

For the Vigilance : Mr. Rabindra Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-05-2018 Heard learned counsel for the petitioner and learned
counsel for the Cabinet Vigilance Department.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 406, 120B of the Indian Penal Code and Section 13(2) read with Section 13(1)(d) of the Prevention of Corruption Act, 1988.

The prosecution case as per the written report of the Superintendent of Police, Vigilance Investigation Unit, Patna dated 25.09.2013, addressed to the Special Judge, Special Court Vigilance-I, Bihar, Patna is to the effect that during inquiry it was found that in the years 2008-09 and 2009-10, the medical equipment chemicals and medicines were purchased at PMCH at higher rate than the MRP and thereby, the public funds have been misappropriated, leading to registration of FIR against 15



persons except the petitioner Though, the petitioner was not named in the FIR, but his name subsequently sprang up during investigation to the effect that he also charged the excess amount to the tune of Rs. 2,13,214/- in lieu of supply of chemical namely 'Bun Blod' (Urea Kit) to PMCH.

It is submitted by learned counsel for the petitioner that for the supply made in the years 2008-09 and 2009-10, the FIR was lodged in 2013. The petitioner co-operated during investigation and now the investigation has already concluded. Though, the petitioner has been charge-sheeted along with others, however, other co-accused persons, who are named in the FIR, against whom the charges are graver than the petitioner, have been granted anticipatory bail by different benches of this Court, vide Criminal Miscellaneous Nos.1177 of 2014 and other analogous cases, i.e., Criminal Miscellaneous Nos. 48181 of 2015 and 5360 of 2017. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned counsel for the Vigilance Department that during investigation it was found that the petitioner being supplier of chemicals charged excess amount than the M.R.P. to the PMCH to the tune of Rs.2,13,214/-.



However, the investigation has already concluded and others have been granted anticipatory bail.

Considering the fact that the investigation has already concluded and others have been granted anticipatory bail, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Vigilance-I, Patna, in connection with Special Case No.66A of 2013, arising out of Vigilance P.S. Case No.61 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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