

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1105 of 2018

Arising Out of PS.Case No. -87 Year- 2017 Thana -VIGILANCE District- PATNA

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1. Bhagwan Jha, son of Bishwambhar Jha, resident of Village- Dhakjari, P.O. and P.S.- Andhra Tharhi, District- Madhubani, Presently Posted as Block Development Officer, Brahampur, P.O. + P.S.- Brahampur, District- Buxar.

2. Raghunath Prasad, son of Late Shyam Nandan Prasad, resident of Village- Sitarampur, P.S.- Maniyari, District- Muzaffarpur, Presently Posted as Block Education Officer, Brahampur, P.S. Brahampur, District- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar.

2. The State of Bihar through the S.P. Vigilence Investigation Bureau, Patna, Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Jee Mishra

For the Opposite Party/s : Mr. Smt Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 11-01-2018 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Vigilance P.S. Case No. 87 of 2017 (Special Case No. 347 of 2017), registered under Sections 420, 467, 468, 471, 472, 477(A) and 120(B) of the Indian Penal Code and Sections 13(2) and 13(1)(d) of the Prevention of Corruption Act.

The accusation is that in course of Vigilance inquiry, it was detected that District Programme Officer, Block Development Officer (petitioner no. 1) and Block Education Officer (petitioner no. 2), Brahampur, for illegal gratification appointed 22 persons on the post of Panchayat Teachers and also ordered for their payment under



conspiracy.

Learned counsel for the petitioners submits that it is not in dispute that at the time of appointment of 22 teachers, as detailed in the F.I.R., the petitioners were Block Development Officer and Block Education Officer at Block Brahampur, District Buxar, but no illegality was committed by them in the appointment of 22 teachers, who have been made accused in the present case, out of them, 12 persons have preferred C.W.J.C. Nos. 11715 of 2017, 12725 of 2017, 11626 of 2017 and 11859 of 2017, in which, their appointments have been declared valid by setting aside their termination order.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Special Judge, Vigilance-I, Patna, in connection with Vigilance P.S. Case No. 87 of 2017 (Special Case No. 347 of 2017), subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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