

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6878 of 2018

Arising Out of PS.Case No. -367 Year- 2016 Thana -KOTWALI District- PATNA

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1. Vikash Kumar, S/o Late Ram Shubhag Singh Jain, Resident of Mohalla-
1/34, New Patliputra Colony, Police Station- Patlipura, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar Through The Vigilance. Opposite Party/s

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Appearance :

For the Petitioner/s : M/s. Kaushal Kumar, Anirudh Pandey,
Ram Nath Kumar, Advocates

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 18-04-2018 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 418, 420, 409, 467, 468, 471,
120B/34 of the Indian Penal Code and Section 13 of the
Prevention of Corruption Act.

Petitioner is in custody since 09.08.2016. Earlier
this Court had refused the prayer for bail of the petitioner in Cr.
Misc. No. 6673 of 2017 on 07.07.2017 with liberty to the
petitioner to renew his prayer for bail if no progress, in trial, takes
place within six months.

The report of the learned trial Judge would reveal
that the trial has no progress as the matter is pending for sanction
of prosecution.



Learned counsel for the State informed that sanction has already been accorded as per information received by him.

According to FIR, the petitioner was an employee of the Bihar School Examination Board. The Bihar School Examination Board had invited tender for supply of answer sheets to conduct Secondary and Intermediate Examination, 2016. The informant had put his quotation. Though, the quotation of the informant was rejected by the competent committee. The petitioner misled the informant and wrongly informed him that his quotation has been accepted. Thereafter, informant allegedly supplied the answer materials. The same were supplied at different centers suggested by the petitioner. In the circumstances, the informant found himself cheated.

By the same order, the Chairman and Secretary of the Bihar School Examination Board were allowed bail by this Court for the reason that there was no material showing their involvement in the act committed by the petitioner.

After hearing the parties and considering the period already undergone by the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where



the case is pending in connection with Vigilance Spl. Case No. 09 of 2017 arising out of Patna Kotwali Police Station Case No. 367 of 2016, subject to the condition that the petitioner shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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