

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.55519 of 2017

Arising Out of PS.Case No. -76 Year- 2013 Thana -VIGILANCE District- PATNA

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1. Hari Shankar Patel, Son of Jhulan Singh, R/o Patel Market, Yadav Chowk, P.S.- Hajipur, District- Vaishali.
2. Praveen Kumar, Son of Sant Lal, R/o Village- Saidpur Ganesh, P.S.- Bidupur, Hajipur, District- Vaishali.

.... Petitioners

Versus

1. The State of Bihar.
2. The State of Bihar through Vigilance, Patna.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Mithlesh Kumar Gupta, Advocate.

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 29-01-2018 Heard learned counsel for the petitioners, learned counsel for the State and learned counsel for the Vigilance.

The petitioners apprehend their arrest in Vigilance P.S. Case No.76 of 2013, Spl. Case No.45/2013 instituted for the offences under sections 409, 420, 467, 468, 471, 477(A), 120(B) of Indian Penal Code and Section 13(1)(D) P.C. Act, 1988.

It has been submitted on behalf of the petitioners that Certificate Case has already been initiated against the petitioners and others for recovery of Rs. 3, 53, 392/-.

In the written report, it is alleged that these petitioners supplied solar lamp after having purchased the same from unauthorized dealer on higher price, which caused loss of Rs. 3, 53, 392/-.



Learned counsel for the petitioners submits that Mukhiya Rekha Devi has already been granted anticipatory bail by co-ordinate Bench of this court by order dated 13.08.2015, passed in Cr. Misc. No.33930 of 2015. Other co-accused namely Ram Prasad Singh and Raghunath Bhagat have also been granted anticipatory bail by order dated 18.05.2015, passed in Cr. Misc. No.41673 of 2014, after depositing certain amount. Counsel for the petitioners further submits that the petitioners are ready to deposit Rs. 75,000/- each in the name of District Welfare Officer, in the Government Treasury, subject to final disposal of the case within a period of four weeks from the date of receipt of this order, in connection with, Vigilance Case No.76 of 2013, pending in the court of learned Special Judge, Vigilance (North Bihar), Muzaffarpur. In the event the petitioners surrender in the court below within four weeks from the date of receipt of this order with valid receipt in support of depositing an amount of Rs.75,000/- (Seventy five thousand) each, the court below will enlarge the petitioners on anticipatory bail in terms of provision of Section 438(2) of Cr.P.C., to its own satisfaction.

Accordingly, the anticipatory bail of the petitioners stands disposed off.

(Sanjay Priya, J)

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