

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45130 of 2018

Arising Out of PS.Case No. -93 Year- 2016 Thana -VIGILANCE District- PATNA

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1. Shashi Pandey, W/o Kamala Kant Pandey @ Kamala Pandey, R/o Mohalla- kamppani Sarai (Rauza Road), P.O.- Sasaram P.S.- Sasaram (M) District- Rohtas.

2. Chandra Shekhar Singh S/o Prem Chand Singh, R/o Mohalla- Takiya Bazar P.O.- Takiya, P.S.- Sasaram (M), District- Rohtas.

.... Petitioner/s

Versus

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

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Pandey

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 02-08-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Nigrani P.S.Case no.93 of 2016 , registered for offences punishable under Sections 420, 406, 409, 467, 468, 471, 120B of the Indian Penal Code and Section 12(2) r/w 13(1)(d) of the P.C. Act, 1988..

Petitioners are the members of the Empowered Standing Committee of Nagar Parishad and there is allegation that they have purchased articles on higher rate after advertising tender.

Submission of the learned counsel for the petitioners is that the petitioners are the members of the Empowered Standing Committee and they are not empowered to make advertisement or



purchasing anything rather it is the Executive Officer, who purchases articles and the other co-accused persons who are also members of the Empower Standing Committee have already been granted privilege of the anticipatory bail, vide order dated 31.8.2017 passed in Cr. Misc. No.24241 of 2017 along with Cr.W.J.C. No.604 of 2017.

Heard learned A.P.P. and the learned counsel for the Vigilance. The learned counsel for the Vigilance has not controverted te fact that the other co-accused persons have been granted privilege of the anticipatory bail and the allegation is similar to that.

Having heard both sides and in view of the facts and circumstances, as stated above , let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, Vigilance 1st, Patna in connection with Nigrani P.S.Case No.93 of 2016, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.



- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Vigilance, otherwise, otherwise their bail bond shall be cancelled..

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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