

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41206 of 2018

Arising Out of PS. Case No.-122 Year-2014 Thana- KARPI District- Jehanabad

Uma Nath Sah, Son of Ramashish Ram, resident of House of Sri Mithlesh Kumar Ram, Mahabir Nagar Road No. 2, P.O.- Chandwa, P.S. Ara, Muffasil, District- Bhojpur, at present posted as Assistant Engineer, Department of P.H.E.D., Ara, Division, Bhojpur at Ara..... Petitioner/s

Versus

The State of Bihar through Vigilance.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Ramakant Sharma(L.O.,I/C. Vigi)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

7 11-12-2018 Heard learned counsel for the petitioner and counsel appearing on behalf of the State as well as Vigilance.

The petitioner is apprehending his arrest in connection with Special Case No. 75A/2014, Arising out of Arwal (Karpi) (Sahar telpa) P.S. Case No. 122 of 2014 for the offence under Sections 420, 406, 409, 34 of the Indian Penal Code and under Section 13 (2) read with 13 (1) (d) of the Prevention of Corruption Act.

Learned counsel appearing on behalf of the Vigilance with regard to the case diary would submit that paragraph 215 material has come to indicate that the petitioner signed on the voucher.

Learned counsel appearing on behalf of the petitioner would submit that petitioner was Assistant Engineer and he has



no criminal antecedent. In relation to certain irregularity in execution of the work under 'Nirmal Bharat Yojana' several persons have been named accused. In similar fact situation when Jhalakdeo Paswan has put his signature on voucher, he was granted anticipatory bail by a co-ordinate Bench of this court in Crl. Misc. No. 45852 of 2018 order dated 27.8.2018.

Considering the totality of the facts situations and the material as pointed out by Mr. Ajay Mishra, learned counsel appearing on behalf of the Vigilance, allegation against the petitioner is only putting his signature on voucher, the Court is inclined to grant anticipatory bail to the petitioner maintaining parity, let the petitioner above named, in the event of arrest or surrender within one moth from today, be released on bail 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, 1st, Patna in connection with Special Case No. 75A/2014, Arising out of Arwal (Karpi) (Sahar Telpa) P.S. Case No. 122 of 2014, subject to the conditions as laid down under Section 438 Cr.P.C.

(Anil Kumar Upadhyay, J)

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