

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.4175 of 2018**

Arising Out of PS.Case No. -533 Year- 2011 Thana -BHABHUA District- BHABHUA (KAIMUR)

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Muzaffar Ali, Son of Md. Hashmi Ali, Resident of Village- Tar Bangla,  
P.S.- Dehri, District- Rohtas (Sasaram).

.... .... Petitioner/s

Versus

The State of Bihar, Through Director General, Vigilance Investigation  
Bureau, Bihar, Patna

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Mukesh Kumar

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

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR**  
**MISHRA**  
ORAL ORDER

6      27-06-2018                      Heard learned counsel for the petitioner and learned  
counsel for the A.P.P.

The petitioner seeks pre-arrest bail in Special Case No.7  
of 2012 arising out of Bhabua P.S.Case No.533of 2011 registered  
for the offences under Sections 420, 409,467, 468, 471/34, 120B  
of the I.P.C. and Section 13(1) (d) of the Prevention of Corruption  
Act, 1988.

Accusation is that the petitioner and co-accused Sanjay  
Kumar Choudhary being the active member of Sai Hospital, Hata,  
withdrew Rs.1,65,000/- by producing the fake list of motivated  
candidates for whose sterilization was said to be done in the Sai  
Hospital, Hata.



Learned counsel appearing on behalf of the petitioner submits that it would appear from the F.I.R. that this petitioner and one Sanjay Kumar Choudhary being the active members of Sai Hospital, Hata, withdrew Rs.1,65,000/- submitting false list of candidates whose sterilization was to be done under the Family Planning Scheme with false names of motivator. Further submission is that in view of the order dated 25.01.2018 passed in Cr. Misc. No.41948 of 2017 on behalf of Sanjay Kumar Choudhary and Cr.Misc.No.43599 of 2017 on behalf of Dr.Shushma Sinha draft of Rs.1,65,000/- has already been submitted in the office of Civil Surgeon-cum-District Health Committee, Bhabua regarding which certificate has been issued by the Civil Surgeon-cum-District Health Committee at Bhabua which would appear from Annexure-8 to the supplementary affidavit which has been filed today itself.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks from today, be released on bail on furnishing bail bond of Rs.25,000/- with two sureties of the like amount each to the satisfaction of the Special Judge, Vigilance-1<sup>st</sup>, Patna, in Special Case No.7 of 2012 arising out of Bhabua P.S. Case No.533 of 2011 subject to the conditions as laid



down under Section 438(2) of Cr.P.C.

**(Rajendra Kumar Mishra, J)**

AnilKrSinha/-

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