

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18367 of 2018

Arising Out of PS.Case No. -83 Year- 2017 Thana -VIGILANCE District- PATNA

=====

Chandan Kumar Singh @ Chandan Kumar, son of Late Suresh Narayan Singh, resident of Mohalla- Deochoura Deoghat Andar Gaya, P.S.- Bishnupad, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar through Vigilance Investigation Bureau, Patna

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Das, Advocate

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

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 06-04-2018 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks pre-arrest bail in connection with Special Case No.345 of 2017 arising out of Vigilance P.S. Case No.83 of 2017 registered under Sections 406, 408, 409, 420, 467, 471, 477 and 120B of the Indian Penal Code and Section 13(2) read with Section 13(1)(d) of the Prevention of Corruption Act.

It is submitted by the learned counsel for the petitioner that the only allegation levelled against the petitioner is that he was owner of the firm named M/s Medi Devices who had also submitted tender for supply of medicine to the P.M.C.H. The petitioner has neither supplied any medicine to the P.M.C.H. nor



any single penny has been paid to him and he has been implicated in this case only on the basis of some hypothetical and vague allegation.

On the other hand, learned counsel for the Vigilance submitted that it is a case of conspiracy in which supply was made by the supplier on higher rate than the market price.

Be that as it may, considering the facts and circumstances of the case, in the event of arrest or surrender in the court below within six weeks from today, the petitioner is directed to 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 learned Special Judge, Vigilance, Patna in connection with Special Case No. 345 of 2017 arising out of Vigilance P.S. Case No.83 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and subject to the following conditions:-

- (a) the petitioner shall not influence the witnesses or tamper with any document;
- (b) at the time of furnishing the sureties, the petitioner shall furnish his address to the Court and shall not change his address till the final disposal of the case or till further orders in that regard;
- (c) the petitioner shall not leave the limits of India without prior permission of the trial court;



- (d) the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court;
- (e) the petitioner shall not do any act prejudicial to the interest of the prosecution;
- (f) The petitioner shall receive the police report and other documents in terms of Section 207 of the Code of Criminal Procedure as and when the same is supplied to him by the Court;
- (g) one of the sureties must be a Government servant/elected people's representative of Panchayat/Municipality and the other shall be a close relative; and
- (h) the petitioner shall abide by the above conditions scrupulously and in case of violation of any of the conditions, the prosecution would be at liberty to move the Court for cancellation of bail.

(Ashwani Kumar Singh, J)

Md.S./-

U		T	
---	--	---	--

