

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1222 of 2018

Arising Out of PS.Case No. -20 Year- 2017 Thana -VIGILANCE District- PATNA

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Mahendra Prasad Sahni, son of Chullazi Sahani, resident of village
Chaukhandi, P.O. Basudeopur, P.S. Kotwali, Distt. Munger.

.... Petitioner/s

Versus

The State of Bihar through Vigilance Department, Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Tiwary
Mr. Priyesh Kumar, Advocate.
For the Vigilance : Mr. Kedar Singh, Advocate. A.C. to Mr.
Ramakant Sharma (L.O.,Inc.Vigi.)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 19-01-2018 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Vigilance P.S.**

Case No. 20 of 2017 instituted for the offence under Sections 109, 409,
420, 467, 471, 120B of the Indian Penal Code, Section 13(2) read with
12(iii) C D of Prevention of Corruption Act, 1988.

There is allegation against this petitioner that on the basis
of Photostat copy of forged letter No. 2725 dated 21.3.2017, ACP has
been received by the employee of DRDA office, Munger.

Learned counsel for the petitioner has submitted that as
per paragraph-11 of the bail petition, the petitioner has already
deposited an amount of Rs.5,39,713/- vide Cheque No. 945451 of
Punjab National Bank in the treasury of DRDA Munger and now there
is no dues with him. The aforesaid letter is annexed as Annexure-2. It
has further been submitted that co-accused Anandi Prasad Singh has



already been granted anticipatory bail by a coordinate Bench of this Court vide order dated 18.10.2017 passed in Cr. Misc. 49393 of 2017.

Learned counsel for the vigilance is present.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Special Case No. 15 of 2017 arising out of Vigilance Case No. 20 of 2017**, he shall be released on anticipatory 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 1st, Patna,** subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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