

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12823 of 2018

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

Dr. Ganesh Prasad Singh @ Dr. Ganesh Prasad, S/o Late Kailash Singh,
Resident of 3/C Laxmi Ashram Apartment, Nalanda Colony, Khajpura, P.S.
Rajiv Nagar, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar Through Vigilance Bureau of Investigation, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Soni Srivastava
For the Vigilance : Mr. Rama Kant Sharma, Sr. Advt. with
Mr. Santosh Kr. Pandey, Advt.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

6 27-06-2018 Heard learned counsel for the petitioner, learned counsel
for the State and learned counsel for the Vigilance.

Petitioner apprehends his arrest in Vigilance P.S. case no.
83 of 2017 instituted for the offence under Sections
406,408,409,420, 467,468,471,477(A) and 120(B) of the
Indian Penal Code and Sections 13(2) and 13(1)(D) of the
Prevention of Corruption Act.

It is alleged in the written report that this petitioner being
the Deputy Superintendent-cum- Store in-charge of the
P.M.C.H. Patna from 11.9.2007 to 5.3.2013 along with Dr. O. P.
Choudhary Superintendent of the P.M.C.H. committed financial
irregularities in purchase of chemicals, electrical appliances,
medicines, linen instruments etc. during the financial year 2006-



07 and 2007-08. The allegation against this petitioner is that he being the Deputy Superintendent of P.M.C.H. in connivance with other co-accused persons under deep rooted criminal conspiracy by flouting the rules made purchase of the medicines and other related materials at higher price. The further allegation is that the petitioner not being the member of the purchase committee knowingly and deliberately withheld the sealed envelop of Tender no. 366 (submitted by Satyam Ink and Satyam Distributors) in order to give undue benefit to the said firm whereas it was told by the petitioner that it was kept with Mr. Rajkumar, Assistant Medicine Store P.M.C.H.

A counter affidavit has been filed on behalf of the Vigilance, wherein, it is mentioned in para 10 that petitioner was the Deputy Superintendent. In addition to that, he also hold the post of Store in-charge in P.M.C.H. As a public servant, with a view to help Mr. Satyam Distributors, as mentioned in the FIR, after conniving with Satyam Distributors, he deliberately withheld sealed envelop of Tender 366 (submitted by Satyam Distributors) in order to give undue benefit to the said firm.

In such circumstances, this Court finds that there is serious allegation against the petitioner of misappropriating the



government money. Therefore, this Court is not inclined to grant anticipatory bail to the petitioner. Prayer for anticipatory bail of the petitioner stands rejected.

Petitioner may surrender before the Court below and make prayer for regular bail which shall be considered and disposed of on its own merit in accordance with law without being prejudiced by the present order.

(Sanjay Priya, J)

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