

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27823 of 2018

Arising Out of PS.Case No. -18 Year- 2015 Thana -VIGILANCE District- PATNA

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1. Satya Narayan Mahto, aged about 63 Years, S/o Late Babu Lal Mahto,
R/o Vill.- Bherokhra, P.S.- Tajpur, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar Through Vigilance, Government of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar

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

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

7 17-07-2018 Heard learned Counsel for the petitioner and the learned
Counsel appearing on behalf of Vigilance.

Petitioner, already in custody seeks bail in Special Case No.
10 of 2015 arising out of Vigilance PS Case No. 18 of 2015
registered under Sections 13(2)r/w and 13(i)(e) of P.C.Act.

The allegation in brief is that the petitioner, who was
appointed as Junior Engineer in the year 1979 and retired as
Superintending Engineer from the Building Construction Department
has accumulated properties disproportionate to his known source of
income and as per allegation he accumulated Rs. 4,15,28,659/- worth
property inclusive of cash.

Learned Counsel for the petitioner submits that the check
period is from 1979 to 30.7.2018, just prior to his retirement and
prosecution has assessed the value of his properties with regard to
the land purchased by him and the house on parameters of the
present day cost however it was purchased much earlier in point of
time and also submits that likewise his initial investment in the
Sahara India Limited was only eleven lakh rupees but its maturity
value of 2 crore and 72 lakh approximately has been taken into



account by the prosecution and after completion of investigation has reduced the total disproportionate asset to Rs. 3, 59, 07, 291/-, moreover this case was lodged only three months prior to petitioner's retirement, now the petitioner is a retired person and charge too has been framed against him. Learned Counsel further submits that the fact that the house was built from the bank loan was also not considered by the investigating agency.

Learned Counsel appearing on behalf of the Vigilance has opposed the prayer for bail.

Having considered the said facts and circumstances, the petitioner, namely, Satya Narayan Mahto is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Vigilance Ist, Patna in connection with Special Case No. 10 of 2015 arising out of Vigilance PS Case No. 18 of 2015 with the condition that the petitioner shall appear before the trial court on each date and in case of failure to appear on two consecutive dates his bail bonds shall be liable to be cancelled.

(Arun Kumar, J)

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