

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.56087 of 2018

Arising Out of PS. Case No.-144 Year-2003 Thana- ARA NAWADA District- Bhojpur

Baban Sah, son of Late Banke Sah, resident of Village- Ratanpur, P.S.-
Muffasil (Ara), District- Bhojpur (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar.
 2. The Vigilance Bureau through the Deputy Superintendent of Police, Patna.
- Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Tiwary

For the Opposite Party/s : Mr. Sri Binod Kumar 2

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 10-10-2018 Heard learned counsel for the petitioner and learned
counsel for the Vigilance.

The petitioner, who is in custody, seeks bail in connection with Special (Vigilance)s P.S. Case No. 16 of 2005 arising out of Ara Nawada P.S. Case No. 144 of 2003 registered for the offence punishable under Sections 406, 409, 467, 468, 471, 477 of the Indian Penal Code and Section 13(2) read with 13(1) (C)(b) of Prevention of Corruption Act.

Petitioner is not named in the FIR. His name has surfaced in course of investigation. There is only allegation against petitioner is that he was introducer of Principal of Jan Sahkari College, Garahni who opened the said account and misappropriated the amount of Rs. 34,55,082/- which was allotted for scholarship of SC/ST students. Petitioner has no concern with the operation of the said account nor he is the beneficiary of the same and he is 4th Grade employee. Co-



accused, namely Nirukant Ram who was the in-charge of Scholarship for SC/ST student, in whose possession cheque was recovered has been granted bail by this Hon'ble Court vide order dated 22.05.2004 passed in Cr. Misc. No. 2078 of 2004 and other co-accused, namely, Narendra Kumar Pandey, the Principal of Jan Sahkari College, Brap Garhani has also been granted bail by this Hon'ble Court as contained in Annexure-3. Petitioner has no criminal antecedent and he is in custody since 04.07.2018.

Learned Counsel for the Vigilance has vehemently opposed the prayer for grant of regular bail to the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon 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, in connection with Special (Vigilance)s P.S. Case No. 16 of 2005 arising out of Ara Nawada P.S. Case No. 144 of 2003.

(S. Kumar, J)

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