

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3895 of 2019

Arising Out of PS. Case No.-84 Year-2017 Thana- VIGILANCE District- Patna

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Lutan Thakur @ Lutan Kumar son of Asharfi Thakur, Resident of Village Marar, P.S. Morkahi, District- Khagaria, Presently posted as Panchayat Sachiv, Jorawarpur Panchayat , Block Khagaria, District- Khagaria.

... .. Petitioner/s

Versus

The State Of Bihar through Vigilance Cabinet Department, Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Sumiran Rai

For the Opposite Party/s : Mr.Anjani Kumar(L.O,I/C Vigi.)

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 11-03-2019 This is an application for grant of anticipatory bail in connection with Vigilance P.S. Case No. 84 of 2017, disclosing offences under Sections 467, 468, 477(A), 120(B) of the Indian Penal Code and Section 13(2) read with Section 13(1)(c) (d) of the Prevention of Corruption Act.

Allegation against the petitioner, who happens to be the Panchayat Secretar, is that he in collusion with the Mukhiya and other members of the appointment committee has got appointed one Mamta Kumari in place of Shyam Nandan, but he has got more marks and against whom Shyam Nandan had moved before the Tribunal, which has been decided in favour of him and later on, Mamta Kumari was moved before the High Court, which has also been decided in favour of Shyam Nandan.



Submission of learned counsel for the petitioner is that for the appointment of the year 2007, the present case has been filed in the year 2017 and there is no allegation that due to ulterior motive, he has appointed Mamta Kumari in place of Shyam Nandan.

Heard learned counsel for the Vigilance department.

Having heard both sides, considering the above submission, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Vigilance, II, Patna, in connection with Vigilance P.S. Case No. 84 of 2017, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

This is further subject to the condition that the petitioner shall cooperate in investigation of the case.

(Vinod Kumar Sinha, J)

Amjad/-

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