

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.5332 of 2019**

Arising Out of PS. Case No.-42 Year-1991 Thana- KHODAWANDPUR District- Begusarai

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Anil Kumar Singh, aged about 59 years (Male), son of Sri Kamleshwar Prasad Singh, resident of village - Gorainpur, P.S-Avtar Nagar, Distt.-Chapra

... .. Petitioner/s

Versus

The State of Bihar through the Vigilance Investigation Bureau, Circular Road, Patna

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Prabhat Ranjan

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

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**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL ORDER**

4      15-02-2019                      Heard learned counsel for the parties.

Petitioner seeks bail in Special Case No. 10(A)/2000 arising out of Khodawanpur P.S. Case No. **42 of 1991** registered for the offence punishable under Sections 467, 468, 471, 472, 419, 420, 120B of the Indian Penal Code and Section 13(2) read with Section 13(1)(d) of the P.C. Act, 1988.

Petitioner has earlier moved this Court for anticipatory bail vide Cr. Misc. No.52192 of 2014 which was dismissed vide order dated 23.07.2015.

Allegation is defalcation of huge amount of Rs.20,39,720/- which was sanctioned for construction of 50000 smokeless Chullah but only 964 smokeless Chullah was alleged to have been constructed and rest amount was misappropriated



in the name of fictitious persons.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case merely on suspicion. Petitioner is not named in the F.I.R as he was never involved in this matter at any stage. It has further been submitted that petitioner was only the Technical Laboratory Assistant in Bihar Renewable energy Development Agency and he had no role to play either in the execution of the scheme or release of the payments to any agency. Similarly placed co-accused Bangali Mahto has already been granted bail by this Court vide order dated 18.01.2019 passed in Cr. Misc. No.1273 of 2019. Petitioner has got no criminal antecedent and is in custody since 28.11.2018.

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/- with two sureties of the like amount each to the satisfaction of learned Special Judge, Vigilance 1<sup>st</sup>, Patna in connection with Special Case No. 10(A)/2000 arising out of Khodawanpur P.S. Case No. **42 of 1991**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial



and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the 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.

**(S. Kumar, J)**

Sanjay/-

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