

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4615 of 2019

Arising Out of PS. Case No.-56 Year-2018 Thana- C.B.I CASE District- Muzaffarpur

DR. RANGNATH CHAUDHARY @ RANG NATH CHOUDHARY, Son of Late Jagannath Choudhary, R/o Village - Sultanpur, P.S. - Kusheshwar Asthan, District – Darbhanga, the then In-charge Town Commissioner, Municipal Corporation Muzaffarpur, at present Additional Collector, Damuchak, Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR THROUGH THE VIGILANCE DEPARTMENT
MUZARFFARPUR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rama Kant Sharma, Sr. Advocate Mr. Vijay Kumar, Advocate Mr. Mohit Shriwastava, Advocate
For the Opposite Party/s	:	Mr. Anjani Kumar, L.O., Inc, Vigilance

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 27-03-2019 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 407, 467, 468, 471, 120B of the Indian Penal Code and Section 13(2) r/w Section 13(1)(a) of the Prevention of Corruption Act.

Perused the order dated 29.01.2019 whereby interim stay on the arrest of the petitioner was ordered by a Bench of this Court.

Brief fact of this case is that different suppliers had submitted their quotations with Muzaffarpur Municipal



Corporation in pursuance of tender notice dated 17.09.2017. The quotation of informant was lowest one and quotation of Maurya Motors Pvt. Ltd. was lowest second. However, Maurya Motors Pvt. Ltd. was allowed to supply “garbage tippers” on the same rate which was quoted by the informant. This was done by Mr. Ramesh Ranjan, the then Municipal Commissioner. After transfer of Mr. Ramesh Ranjan, the petitioner was In-charge Commissioner of the Municipality. The petitioner only made payment against supply made by Maurya Motors Pvt. Ltd.

Submission of learned counsel for the petitioner is that once the materials were supplied, the petitioner was bound to make payment against supply. He had no role in acceptance of the tender of Maurya Motors Pvt. Ltd. though the same was accepted on the same price which the informant had offered.

Considering the facts aforesaid, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Vigilance Police Station Case No. 56 of 2018/Special Case



No. 26 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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