

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12200 of 2019

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

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KRISHNA PANDIT, aged about 62 years, Son of Late Ram Narayan R/o-
Arya Kumar Road, P.S.- Kadamkuan, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Vigilance Department, Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Mouar, Adv.

For the Opposite Party/s : Mr.Satya Nand Shukla (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 11-03-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail registered
for the offences punishable under Sections 467, 468, 471, 472,
419, 420, 120(B) of the Indian Penal Code and Sections 13(2)
r/w Section 13(1)(d) of the Prevention of Corruption Act, 1988.

Allegation is defalcation of huge amount of Rs.
20,39,720/- which was sanctioned for construction of 50,000
smokeless Chyllah 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 committed no offence. He has been falsely implicated in this case on the basis of suspicion. Similarly placed co-accused have been granted bail by co-ordinate bench of this court vide order dated 18.01.2019 and 15.02.2019 passed in Cr. Misc. No. 1273 of 2019 and Cr. Misc. No. 5332 of 2019 respectively. Petitioner is in custody since 10.12.2018.

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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Special Case (Vigilance) No. 10(A) of 2000 arising out of Khodavanpur P.S. Case No. 42 of 1991, subject to 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 Court and his absence on two consecutive dates without sufficient reasons, 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)

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