

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18734 of 2019

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

Ganesh Prasad Son of Late Kail Prasad @ Kail Yadav Resident of Village-
Koyali (Kahalpur), P.S.- Makhdumpur, District- Jehanabad.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Vigilance Department, Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bishwa Bijay Kumar
For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 467, 468, 471, 472, 419, 420, 120(B) of the Indian
Penal Code and Sections 13(2) read with 13(1)(d) of the
Prevention of Corruption Act.

Allegation is of defalcation of huge amount of
Rs.20,39,720/-, which was sanctioned for construction of 50,000
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
the petitioner is in custody since 01.12.2018 and has got no



criminal antecedent. Charge sheet has been submitted in the case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been made accused due to mistake of fact. No wrongful gain or wrongful loss has been made on the part of the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. Other co-accused has been granted bail vide Cr.Misc.No.12200 of 2019.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds 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 case No.10 of 2000 arising out of Khodabandpur P.S. case No.42 of 1991 (Vigilance P.S. case No.42 of 1991).

(Sudhir Singh, J)

Narendra/-

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