

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28884 of 2019

Arising Out of PS. Case No.-122 Year-2014 Thana- KARPI District- Jehanabad

Ran Vijay Yadav @ Ranvijay Singh, Son of Late Mahadeo Yadav, resident of
Village - Maraila, P.S.- Mehandia, District – Arwal.

... .. Petitioner.

Versus

The State of Bihar through the Vigilance Bihar, Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Singh

For the Opposite Party/s : Mr. Sanjay Kumar

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 06-05-2019 Heard learned counsel for the petitioner and the
learned counsel for the Vigilance.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 420, 406
& 409/34 of the Indian Penal Code.

Brajesh Kumar, who happens to be President of
NGO Magadh Samaj Kalyan, while the petitioner, who
happens to be organizer of the said NGO, in collusion with the
person of the PHED are said to have defalcated Rs.6,99,310.00
from the government coffer allotted for the construction of
toilets in the village withdrawing the aforesaid amount without
carrying out the construction work.

Learned counsel for the petitioner submitted that no
such occurrence as alleged ever took place. The petitioner is



quite innocent and has been falsely implicated in this case. Petitioner does not happen to be organizer of the aforesaid NGO and he has no concern with the aforesaid NGO or construction work of toilet in the village rather the agreement was between the President of the NGO Brajesh Kumar and the Executive Engineer, PHED Saryu Ram. He has further submitted that the Chief Engineer, PHED vide order dated 04.06.2018 had fixed the liability of 50% of the aforesaid defalcated amount on the aforesaid Saryu Ram and rest 50% on the employee of PHED, namely, Sri Umanath Sah, Sri Birendra Prasad, Sri Prakash Chandra Prabhakar and the Sri Rajendra Prasad. The said Saryu Ram and Rajendra Prasad have been enlarged on anticipatory bail by coordinate Bench of this Court in Cr. Misc. No.54214 of 2018 and Cr. Misc. No.8197 of 2019 vide order dated 12.12.2018 and 19.02.2019.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Vigilance-I, Patna in connection with Special Case No.75



of 2014, corresponding to Arwal (Karpi) P.S. Case No.122 of
2014, subject to the condition as laid down under Section 438
(2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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