

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 25373 of 2019

Arising Out of PS. Case No.-56 Year-2018 Thana- VIGILANCE District- Patna

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MOHAN HIMATSINGKA aged about 67 years, Male, Son of Late Ram Jeevan Himatsingka, Resident of 401, Jaishree Complex, Nageshwar Colony, Police Station- Budha Colony, District- Patna (Director, Maurya Motors Pvt. Ltd. Patna).

... .. Petitioner/s

Versus

THE STATE OF BIHAR THROUGH VIGILANCE DEPARTMENT, GOVT. OF BIHAR, PATNA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Prasad Singh

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

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 19-04-2019 Heard learned counsels for the petitioner and the State.

Petitioner apprehends arrest in connection with Vigilance P.S. Case No. 56 of 2018 corresponding to Special Case No. 26 of 2018 registered for the offence punishable under sections 409, 467, 468, 471, 120B of the Indian Penal Code, Section 13(2) read with section 13(1)(a) of the Prevention of Corruption Act.

Learned counsel appearing for the petitioner submits that petitioner has been falsely implicated in this case merely because he is one of the Directors of Maurya Motors Pvt. Ltd. which is authorised dealer of Tata Motors Ltd. Petitioner is not the proprietor of the company. There is



no specific allegation of manipulation and obtaining tender through illegal means against this petitioner. The alleged tender was granted to the petitioner's company after proper negotiation and following the required procedure. As a matter of fact, subsequently the State has rescinded the contract with the petitioner's company and has directed for refund of the money, which action of the State is under challenge before this Court in CWJC No. 3548 of 2019.

Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner, above named, in the event of arrest or surrender within a period of four weeks from today, 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 Special Judge, Vigilance (North Bihar), Muzaffarpur in connection with Vigilance P.S. Case No. 56 of 2018 subject to the conditions laid down under section 438(2) Cr.P.C.

(Arvind Srivastava, J)

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