

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38130 of 2019

Arising Out of PS. Case No.-18 Year-2010 Thana- VIGILANCE District- Patna

SUNIL KUMAR Son of Sri Lakhan Resident of Village - Daulachak, P.S.-
Kashichak, Distt - Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Superintendent of Police, Vigilance, Patna, Bihar Patna, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.N.K.Agrawal, Sr. Adv.
		Mr. Rajesh Ranjan Kumar
For the Opposite Party/s	:	Mr. Tapeshwar Sharma
For the Vigilance	:	Mr. Anjani Kumar, Sr. Adv.
		Mr. Sannjay Prasad, Adv.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 12-09-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Vigilance P.S. Case No.18 of 2010, registered for offences punishable under Sections 201, 120(B) and 468 of the Indian Penal Code and Sections 7, 8 and 12 read with Section 13(1)(b) and 15 of the P.C. Act and Section 3(x), 3(2)(vii) and 4 of S.C./S.T. Act.

Allegation against the petitioner, who happens to be Prakhanda Pramukh of Kashichak is that he along with Birendra Prasad, Block Education Extension Officer, Kashichak has kept appointment letter of the informant with them and not allowing him to join his duty and further allegation is that they have also withheld the payment of salary to the informant.

Submission of the learned counsel for the petitioner is that in the first application, the informant has not named the petitioner rather named Birendra Prasad and in his second



application, he has named Birendra Prasad and other accused persons also. Petitioner has no authority to keep the appointment letter of the informant and he has falsely been implicated in this case and the main allegation is against one Birendra Prasad.

Heard learned A.P.P. and the learned counsel for the Vigilance, who has opposed the prayer for bail on the ground that para nos. 35 and 45 of the case diary discloses that the petitioner has also kept the appointment letter of informant and not allowing him to join his duty in spite of the fact that he has been appointed as Block Teacher and again there is allegation that they under a conspiracy also not allowed the informant to draw salary also.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioner may surrender before the learned court below and pray for regular bail.

With the aforesaid direction, this application is dismissed.

(Vinod Kumar Sinha, J)

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