IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50525 of 2018

Arising Out of PS. Case No.-515 Year-2017 Thana- GANDHIMAIDAN District- Patna

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Yashwant Kumar @ Jashwant Kumar, S/o Ram Bachan Ram, R/o Mohalla-Jhakhari Mahadev, P.S.- Danapur, District- Patna.

... ... Petitioner

Versus

The State Of Bihar, Through D.G. Vigilance

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Surendra Kumar Singh, Advocate,
Ms. Sudha Chandra, Advocate,
Ms. Tulika Singh, Advocate
For the State : Mr. Ajay Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

14 02-07-2019 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Special Case No. 349 of 2017, arising out of Gandhi Maidan P.S. Case No. 515 of 2017, registered under Sections 467, 468, 471, 480 and 120(B)/34 of the Indian Penal Code and Section 13(2) read with Section 13(i)(c)(d) of the Prevention of Corruption Act.

The accusation is that Lohiya Swachhata Yojana sponsored by the Government of India was started in the district of Patna before 2016 under the supervision of Public Health Engineering Department, East Patna, which was transferred through letter No. 275537, dated 17.06.2016 to

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Rural Department Agency, Patna. Till that date Rs. 14,36,91,509/- was spent under the scheme due to that reasons, inquiry was done in the light of order of District Magistrate by Director Account, D.R.D.A., Patna, Deputy Development Commissioner, Patna. On inquiry, it was detected that under the said scheme the money was transferred to the several NGOs while money was to be transferred directly to the account of beneficiaries and other irregularities were also found.

Learned counsel appearing on behalf of the petitioner submits that the petitioner was Assistant Manager in Axis Bank, Danapur Branch at the relevant time and it has only come that during that period one Suman Singh, Secretary of Adi Sakti Seva Sansthan used to talk with the petitioner and this petitioner helped one Biteshwar Prasad Singh in encashment of the cheques given to him by Suman Singh.

Sri Ajay Mishra, learned A.P.P. appearing for the State submits that in paragraph Nos. 78, 196, 274 and 321 of the case diary and paragraph Nos. 79 and 83 of the supplementary case diary, it has come that during the relevant time, Suman Singh, Secretary of Adi Sakti Seva Sansthan used to talk with this petitioner and cheques of Biteshwar Prasad

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Singh were also cleared by Axis Bank, Danapur Branch, where the petitioner was Assistant Manager.

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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Vigilance-Ist, Patna in connection with Special Case No. 349E of 2017 arising out of Gandhimaidan P.S. Case No. 515 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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