

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47274 of 2019

Arising Out of PS. Case No.-175 Year-2018 Thana- PANAPUR District- Saran

Ram Vinod Sah, Son of Late Kunj Bihari Sah, Ex Mukhiya of Gram Panchayat Raj Mahmadpur-cum-Chairman of Gram Panchayat Raj Mahmadpur, resident of Village- Mahamadpur, P.O.- Bhorhan, P.S.- Panapur, District- Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ram Niwash Chaudhary, Police Inspector, Vigilance Investigation Bureau, Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jeetendra Narayan
For the Opposite Party/s : Mr.Ajay Mishra

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 15-10-2019 Heard learned counsel for the petitioner and learned counsel for the Vigilance.

The petitioner in this case is seeking anticipatory bail in connection with Panapur P.S. Case No.175 of 2018 registered for the offences punishable under Sections 419, 420, 409, 467, 468, 471 and 120(B) of the Indian Penal Code.

Learned counsel for the petitioner submits that so far as this petitioner is concerned, though he was the then mukhiya of Gram Panchayat Raj Mahmadpur at the relevant time, he was not well equipped to examine the genuineness of the certificates which were being produced by the candidates. It is submitted that Sita Ram Das who was the Panchayat Secretary of the



panchayat and who was a member of the selection committee and had been made accused in this case has been granted privilege of anticipatory bail by a learned coordinate bench of this Court in Cr.Misc.No.32211 of 2019 and another similarly situated accused namely one Ajit Kumar Singh who happened to be the Mukhiya of Gram Panchayat Raj Kondh has also been granted privilege of anticipatory bail in Cr.Misc.No.22042 of 2019. Learned counsel has produced a copy of the order dated 09.08.2019 passed in Cr.Misc.No.32211 of 2019.

This matter was heard yesterday and was adjourned to get a specific statement from learned counsel for the Vigilance as to whether or not the case of the petitioner is similarly situated with that of Sita Ram Das and one Ajit Kumar Singh who have been granted privilege of anticipatory bail by learned coordinate bench of this Court. Learned counsel has submitted that the case of the petitioner is similar to those accused who have been granted privilege of anticipatory bail.

In the given facts and circumstances of the case, let the petitioner above named in the event of his arrest or surrender within a period of four weeks from today, be enlarged on bail on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of



learned A.C.J.M.-IVth, Saran at Chapra in connection with Panapur P.S. Case No.175 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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