

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47575 of 2019

Arising Out of PS. Case No.-115 Year-2009 Thana- VIGILANCE District- Patna

Chandra Shekhar Prasad Son of Late Baldeo Mahto Resident of Village-
Khusahal Chak, P.S.-Darbe Bahadur, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar through the Vigilance, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anita Kumari

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 19-08-2019 Counter affidavit is filed on behalf of the State. The same
be kept on record.

Heard learned counsel for the petitioner and the Vigilance.

The petitioner seeks bail in a case registered under Sections
120(B), 420, 467, 468, 471, 477A, 109 of the Indian Penal Code and
Section 13(2) read with Section 13(1)(d) and 15 of Prevention of
Corruption Act, 1988.

Allegedly, in the purchase of cement for construction of Indira
Awas, irregularities were made by the accused persons.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The petitioner
is in custody since 19-06-2019. Charge sheet has already been
submitted. The petitioner has been falsely implicated in the present
case for the oblique reasons. Allegation is that for procurement of



cement, procedure was not adopted by the Purchase Committee. The Purchase Committee of the district was chaired by the District Magistrate. The petitioner being the Deputy Collector, was one of the members of the said Committee. Neither any departmental proceeding was ever initiated against the petitioner nor he was put under suspension. The conduct on the part of the State itself shows that it is a mala fide prosecution for oblique reasons. The other co-accused with similar allegation have been granted bail vide Annexures-P-2 & P-3 of the present application.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 learned Special Judge, Vigilance-Ist, Patna in connection with Special Case No. 42 of 2009 arising out of Vigilance P.S. Case No. 115 of 2009.

(Sudhir Singh, J)

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