

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57409 of 2019

Arising Out of PS. Case No.-367 Year-2016 Thana- KOTWALI District- Patna

1. NAND KISHORE LAL Son of Late Satrudhan Lal Resident of Simli Murarpur, Police Station- Malsalami, Patna City, District- Patna
2. Awadesh Prasad Singh Son of Ramuhawan Singh Resident of Saketpuri, Bazar Samiti, Police Station- Bahadupur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar through the Vigilance Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 11-12-2019 Heard the learned counsel for the petitioners and the learned APP for the State.

The petitioners apprehend their arrest in connection with Kotwali P.S. Case No. 367 of 2016 for the offence punishable under Sections 418, 420, 409, 467, 468, 120(B)/34, 471 of the Indian Penal Code and Section 13 of P.C. Act.

The allegation is regarding the Bihar School Examination Board having issued a tender for sale of waste papers, whereafter the tender was awarded in favour of the informant and later on it transpired that the accused persons had misappropriated the said waste papers and had indulged in recycling the same. It is further alleged that some waste papers of the Bihar School Examination Board were recovered from the Printing Press of the petitioners.



The learned counsel for the petitioners submits that the petitioners are not named in the FIR and they have got no complicity in the matter. It is further submitted that the petitioners have a registered Printing Press and are having turn over of more than Rs. 20 lacs approximately and they cannot be said to have indulged in reprocessing illegal waste paper. It is further submitted that the petitioners are having a clean antecedent and are not likely to jump bail.

The learned counsel for the Vigilance has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, in the event of arrest or surrender in the court below within a period of four weeks from today, the petitioners above named are directed to be released on anticipatory bail on furnishing bail- bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned Special Judge Vigilance, 1st, Patna in connection with Kotwali P.S. Case No. 367 of 2016, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

Tiwary/-

(Mohit Kumar Shah, J)

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