

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76945 of 2019

Arising Out of PS. Case No.-56 Year-2018 Thana- C.B.I CASE District- Muzaffarpur

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BHARAT LAL CHAUDHARY Son of Late Dev Narayan Chaudhary
Resident of Village and P.S.- Ladaniya, District- Madhubani, then Junior
Engineer Muzaffarpur Municipal Corporation.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Vigilance Department through I.G. Vigilance at Circular Road, P.O. and P.S.-
Secretariat, District- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amit Anand
For the Opposite Party/s : Mr.Md. Ataur Rahman

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 18-12-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for anticipatory bail arises out of
Vigilance P.S. Case No. 56 of 2018, Spl. Case No. 26 of 2018,
disclosing the offence under Sections 409, 467, 468, 471, 120(B) of
the Indian Penal Code, Section 13(2) read with Section 13(1)(a) of
P.C. Act.

Learned counsel appearing on behalf of the petitioner has
submitted that he has been implicated with the allegation that he was
part of a Committee which had approved purchase of Garbage
Tippers from M/s. Mourya Motors, Patna, ignoring the quotation of
M/s. Tirhut Automobile, Muzaffarpur. He has further submitted that
no offence under Section 409 of the Indian Penal Code can be said to



be made out in the absence of any allegation that any public money has been misappropriated by the petitioner.

Be that as it may, considering the nature of accusation, in my opinion, the case for grant of anticipatory bail is made out. This application is allowed. Let the petitioner, above-named, in the event of his arrest/surrender within six weeks from today in the court below, 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, North Bihar, Muzaffarpur**, in connection with **Vigilance P.S. Case No. 56 of 2018, Spl. Case No. 26 of 2018**, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail Bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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