

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70448 of 2019

Arising Out of PS. Case No.-1 Year-2001 Thana- C.B.I CASE District- Muzaffarpur

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YOGENDRA PRASAD ROY Son of Late Surya Roy Resident of Village -
Sutihar, P.S.- Derni, District- Saran (Chapra), then Jansevak, Rivilganj Block,
District- Saran (Chapra), at present Jansevak, Madhaura Block, District-
Saran (Chapra)

... .. Petitioner/s

Versus

The State of Bihar through the Vigilance Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate
For the Opposite Party/s : Ms. Archana Palkar Khopde, Advocate

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

10 18-12-2020 Heard learned counsel for the petitioner as well as

learned counsel for the Vigilance through video conferencing.

Petitioner apprehends his arrest in connection with
Vigilance P.S. Case No. 1/2001 (Special Case No. 55/2002)
registered for the offences punishable under Sections 409, 420,
467, 468, 471, 477(A), 120B of of the Indian Penal Code and
Section 13(2) read with Section 13(i) (d) of the Prevention of
Corruption Act, 1988.

Petitioner was posted as Jansevak at Rivilganj Block
and, allegedly, he identified fake persons, who enjoyed the
benefits of Indira Awas Scheme.

Learned counsel appearing for petitioner submits that



according to the prosecution case itself, all the schemes were of year 1998-99 and the beneficiaries of the aforesaid schemes were selected much prior to joining of the petitioner at Rivilganj Block and, as a matter of fact, before joining of petitioner at Rivilganj Block, two instalments had already been paid to the beneficiaries. Subsequently, the petitioner joined at Rivilganj Block in the year 2000 and the third instalment was paid to beneficiaries and petitioner being Jansevak, put his signature on the relevant documents. Learned counsel of the petitioner, further, submits that, moreover, several co-accused, having more or less similar allegation, have already been granted privilege of anticipatory bail by different Benches of this Court.

On the other hand, learned counsel appearing for Vigilance opposed the prayer submitting that petitioner identified fake persons and on the basis of his identification, the payment was made to fake persons.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within six weeks from the date of receipt of this order to the court concerned, shall 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, Muzaffarpur/concerned court in
Vigilance P.S. Case No. 1/2001 (Special Case No. 55/2002)
subject to conditions as laid down under Section 438(2) of the
Cr.P.C.

(Hemant Kumar Srivastava, J)

Spd/-

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