

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9332 of 2020

Arising Out of PS. Case No.-462 Year-2019 Thana- BHABHUA District- Kaimur (Bhabua)

MUNAJIR KHAN @ MD. MONAZIR KHAN, Son of Abdul Jalil Khan
Resident of ward No. 11, Bhojpur Jadid, P.S.- Dumrao, Naya Bhojpur,
District- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar Through Vigilance Investigation Bureau, Patna Bihar
2. Manoj Kumar, Son of Late Ram Chandra Prasad, A.S.P. Vigilance Investigation Bureau, Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abul Kalam
For the Opposite Party/s : Mr.Rana Vikram Singh (L.O,I/C,Vigi.)

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

8 13-11-2020 Heard the parties through virtual court proceedings.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 467, 468, 471, 419, 420, 205, 193, 219, 120-b, 511/34 of the Indian Penal Code.

As per FIR, there is allegation of defalcation of Rs. 3,64,000/- by the Mukhiya in collusion with the other including the petitioner, who happens to be the then Panchayat Secretary of the Panchayat and Arun kumar Upadhyay has approached the Hon'ble Court in Writ Application for payment with respect to installation of the Solar light, in which there was an order for vigilance enquiry.



Learned counsel for the petitioner submits that the allegation against the petitioner is false and fabricated. He has not committed any such offence. There is main allegation against Arun Kumar Upadhyay, who was Mukhiya and who got signature of the petitioner also obtained on the cheque but that has not been encashed, which will appear from the enquiry report which has been submitted by the B.D.O., which is also part of the FIR. The petitioner is ready to co-operate in the investigation and he has been retired from the service. The petitioner has got no clean antecedent. The co-accused have been granted anticipatory bail by the different Co-ordinate Benches of this Court vide order dated 26.11.2019 passed in Cr. Misc. No. 71503 of 2019 and order dated 03.9.2020 passed in Cr. Misc. No. 3978 of 2020.

Learned APP for the State opposes the prayer for bail petition.

In the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the



satisfaction of the learned C.J.M., Kaimur at Bhabhua in connection with Bhabhua P. S. Case No. 462 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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