

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38889 of 2020

Arising Out of PS. Case No.-515 Year-2017 Thana- GANDHIMAIDAN District- Patna

MANOJ KUMAR S/o Siyaram Sharma Resident of Village-Lakhipur, P.S.-
Salimpur, District-Patna.

... .. Petitioner.

Versus

The State of Bihar through Vigilance

... .. Opposite Party.

Appearance :

For the Petitioner	:	Mr. Ajay Kumar Thakur, Advocate.
For the State	:	Mr. Lakshmi Kant Sharma, A.P.P.
For the Vigilance	:	Mr. Rana Vikram Singh, Advocate.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

4 07-07-2021 As prayed for, through Video Conferencing, let the learned counsel for the petitioner remove the defect(s), as pointed out by the office vide its notes dated 23.12.2020, within four weeks of starting of the Court proceeding in physical mode in normal course.

Heard the parties, through Video Conferencing.

The petitioner seeks bail in connection with Gandhi Maidan P.S. Case No.515 of 2017 registered under Sections 467, 468, 471, 409, 420 and 120B/34 of the Indian Penal Code besides Sections 13(1)(c)(d) read with Section 13(2) of the Prevention of Corruption Act, 1988.

The accusation is that Lohiya Swachhata Yojana sponsored by the Government of India was started in the District



of Patna before 2016 and the said Scheme was running under the supervision of Public Health Engineering Department, East, Patna, which was transferred through Letter No.275537, dated 17.06.2016 to Rural Department Agency, Patna. Till that date, Rs.14,36,91,509/- was spent under the Scheme, due to that reasons, the inquiry was done in the light of the order of the District Magistrate by the Director Account, D.R.D.A., Patna and Deputy Development Commissioner, Patna. On inquiry, it was detected that under the Scheme, the money was not transferred directly to the beneficiaries, rather, the same was transferred to the several NGOs and the money of the Scheme was misappropriated.

Learned counsel appearing on behalf of the petitioner submits, earlier, the prayer of the petitioner along with the co-accused Shanti Devi for grant of bail was rejected by this Court vide common order dated 02.07.2019 passed in Criminal Misc. No.30099 of 2018 with Criminal Misc. No.66015 of 2018 on merit. Further submission is that it would appear from perusal of the F.I.R. and the case diary that the allegation against the petitioner and the co-accused Pramila Sinha alias Pramila Singh is that both being the Secretary and the President of Maa Sarveshwari Seva Sansthan, Bakhtiyarpur, transferred



Rs.2,14,57,400/- in their NGOs, while the money was to be paid directly to the beneficiaries. The petitioner is in custody since 15.11.2017. Further submission is that the similarly situated co-accused Pramila Sinha alias Pramila Singh, who is the President of Maa Sarveshwari Seva Sansthan, Bakhtiyarpur, has already been granted bail by a Bench of this Court vide order dated 03.12.2020 passed in Criminal Misc. No.68833 of 2019.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Vigilance-I, Patna, in connection with Special Case No.349 of 2017, arising out of Gandhi Maidan P.S. Case No.515 of 2017. Out of the two sureties, one must be either parents or the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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