

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35149 of 2020

Arising Out of PS. Case No.-178 Year-2018 Thana- SHERGHATI District- Gaya

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VIJAY KUMAR PASWAN S/o Mithu Paswan Resident of Village- Hamjapur,
P.S.- Sherghati, District- Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Sinha, Adv.
	:	Mr.Sudhir Kumar Sinha, Adv.
For the Opposite Party/s	:	Mr. Akshay Lal Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 22-03-2021 Heard Mr. Ashok Kumar Sinha, learned counsel

for the petitioner and Mr. Akshay Lal Pandit, learned APP for

the State.

The petitioner seeks bail in anticipation of his

arrest in connection with Sherghati P.S. Case No. 178 of

2018 instituted for the offences under Sections 409, 420

and 120(B)/34 of the Indian Penal Code.

The allegation in the F.I.R. is that the purchases in

the Nagar Panchayat Sherghati were made of LED lights,

dustbins etc., but without observing the formalities. Neither

the purchases were put to tender nor the regulations with



respect to purchase of the items were followed.

Learned counsel for the petitioner has submitted that at the relevant time he was on deputation as an Assistant and all the processes for the purchase was made by the Executive Engineer. Apart from this, it has been submitted that the only accusation against the petitioner is of not having entered some of the articles, which were purchased, in the register which is required to be maintained in the office of the Nagar Panchayat.

Under similar circumstances, one of the accused persons has been granted anticipatory bail by a Bench of this Court vide order dated 05.12.2019 passed in Cr. Misc. No. 79728 of 2019.

Considering the afore-stated facts, the petitioner, above named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional



Chief Judicial Magistrate, Sherghati, Gaya, in connection with
Sherghati P.S. Case No. 178 of 2018, subject to the
condition laid down under Section 438 (2) of the Code of
Criminal Procedure.

(Ashutosh Kumar, J)

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