

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33312 of 2021

Arising Out of PS. Case No.-12 Year-2020 Thana- VIGILANCE District- Patna

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RAM AYODHYA PRASAD YADAV Son of Late Lagan Rai Resident of
Village - Sirsiya, P.O. Bathnaha, P.S. Piprakothi, District - East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR THROUGH VIGILANCE DEPARTMENT,
BIHAR, PATNA Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Abhishek Kumar
For the Opposite Party/s	:	Mr.Surendra Kumar
For the Vigilance	:	Mr.Arvind Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 22-02-2022 Heard the parties.

Learned counsel for the petitioner is directed to remove the defects as pointed out by the office within a period of four weeks. In the eventuality of non-removal of defects within the stipulated time, office will place the matter before the Bench.

The petitioner apprehends his arrest in a case in connection with Vigilance (Patna) Case No.12 of 2020, (Special Case No.16/2020), registered for the offence punishable under Sections 109, 193, 203, 205, 219, 419, 420, 467, 468, 471, 120(B) of the Indian Penal Code and sections 13(2) r/w 13(1)(d) of the Prevention of Corruption Act, 1988.

The crux of the prosecution case is that co-accused



Rajesh Kumar and Archana Kumari have made a conspiracy with the petitioner (the then Panchayat Secretary) to show their appointments valid by erasing some other names in the register and putting their names in place of those names, where after the forged register was submitted in the appellate authority. Thereafter, several irregularities in the register were found by the informant. It is alleged that the petitioner has presented the forged register before the appellate authority under a conspiracy.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged has ever taken place. The petitioner has signed on the pages of register which was submitted on 25.10.10 through RTI but after that he has no knowledge about any register produced before the appellate authority or the Hon'ble High Court. The signatures made on his behalf on the duplicate registers are forged and he has not signed any such register. Petitioner has neither appointed the co-accused nor has signed on the register showing their appointments. Petitioner has no criminal antecedent, as also mentioned in para-3 of this application.

Learned APP for the State as well as learned counsel for



the vigilance have opposed the prayer for anticipatory bail by submitting that there is ample evidence against the petitioner of abusing the position of authority.

Having regard to the facts and circumstances of the case, since there is direct allegation against the petitioner of submitting the duplicate/forged register before the appellate authority and in the Hon'ble High Court, which goes to show that he has abused his authority, I am not inclined to grant the privilege of anticipatory bail to the petitioner. The prayer for bail is thus rejected.

Accordingly, this application stands dismissed.

(Anjani Kumar Sharan, J)

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