

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36483 of 2022

Arising Out of PS. Case No.-800 Year-2021 Thana- SUPAUL District- Supaul

1. KAMESHWAR PRASAD YADAV SON OF LATE VINDESHWARI PRASAD YADAV RESIDENT OF VILLAGE- MANGA SINDOL, P.S.- MAROUNA, DISTRICT- SUPAUL
2. GAJENDRA PRASAD SON OF LATE THUMAY PRASAD YADAV RESIDENT OF VILLAGE- SIKIYAHA, P.S.- KUMARKHAND, DISTRICT- MADHEPURA
3. NAGESHWAR THAKUR SON OF LATE RAM BARAN THAKUR RESIDENT OF VILLAGE- KOLHUA, P.S.- SHANKARPUR, DISTRICT- MADHEPURA
4. SURENDRA MANDAL SON OF LATE SONE LAL MANDAL RESIDENT OF VILLAGE- MANGA SINDOL, P.S.- MAROUNA, DISTRICT- SUPAUL
5. GANGA RAM MAHTO SON OF LATE DOMI MAHTO RESIDENT OF VILLAGE- GIDRAHI, P.S.- MARAUNA, DISTRICT- SUPAUL
6. RAMAWTAR MAHTO SON OF LATE CHANDRA NARAYAN MAHTO RESIDENT OF VILLAGE- TETRAHI, P.S.- PURE, DISTRICT- SUPAUL
7. SUKHDEO PRASAD YADAV SON OF LATE MOTI LAL YADAV RESIDENT OF VILLAGE- PARIKOCH, P.S.- MAROUNA, DISTRICT- SUPAUL
8. GANGA PRASAD SON OF LATE LAKSHMAN SAH RESIDENT OF VILLAGE- NIRMALI, P.S.- PIPRA, DISTRICT- SUPAUL
9. BHOLA PRASAD SINGH SON OF LATE RAGHU SINGH RESIDENT OF VILLAGE- RAJPUR, P.S.- KARJAIN BAZAR, DISTRICT- SUPAUL
10. MD. MOHIUDDIN SON OF LATE LAL MOHAMMAD RESIDENT OF VILLAGE- CHAKLA, P.S.- CHHATAPUR, DISTRICT- SUPAUL
11. JAGARNATH PRASAD SINGH SON OF LATE NAGENDRA NARAYAN SINGH RESIDENT OF VILLAGE- SUKHANAGAR, P.S.- PRATAPGANJ, DISTRICT- SUPAUL
12. RANDHIR PRASAD SINGH SON OF LATE BALESHWAR PRASAD SINGH RESIDENT OF VILLAGE- SUKHNAGAR, P.S.- PRATAPGANJ, DISTRICT- SUPAUL
13. BIDYA NAND JHA SON OF LATE BALDEO JHA RESIDENT OF VILLAGE- DUMARI, P.S.- RAGHOPUR, DISTRICT- SUPAUL
14. JHAWAR MANDAL SON OF LATE DHARMI MANDAL RESIDENT OF VILLAGE- PARSA, P.S.- KISHANPUR, DISTRICT- SUPAUL
15. GAURI KANT JHA SON OF LATE SHRI NARAYAN JHA RESIDENT OF VILLAGE- BINA BABHANGAMA, P.S.- SUPAUL, DISTRICT- SUPAUL
16. SITA RAM CHOUDHARY SON OF LATE GOSAI CHOUDHARY RESIDENT OF VILLAGE- LOKAHA, P.S.- SUPAUL, DISTRICT- SUPAUL



17. SHANKAR NATH JHA SON OF LATE DIGAMBAR JHA RESIDENT OF VILLAGE- BINA BABHANGAMA, P.S.- SUPAUL, DISTRICT- SUPAUL
18. DINA NATH JHA SON OF LATE DHANANAND JHA RESIDENT OF VILLAGE- BINA BABHANGAMA, P.S.- SUPAUL, DISTRICT- SUPAUL
19. PARMESHWAR MISHRA SON OF LATE CHAKRADHAR MISHRA RESIDENT OF VILLAGE- MALHAD, P.S.- SUPAUL, DISTRICT- SUPAUL

... .. Petitioner/s

Versus

THE STATE OF BIHAR THROUGH THE VIGILANCE INVESTIGATION BUREAU, PATNA THROUGH ITS SUPERINTENDENT OF POLICE, BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra, Advocate
For the Opposite Party/s : Mr.Arvind Kumar, Spl. PP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-09-2022 Heard learned counsel for the petitioners and learned Spl. P.P. for the Vigilance.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 409, 420, 467, 468, 471, 477(A), 420(B) and 34 of the Indian Penal Code read with Sections 13(2), 13(1)(c) and 13(1)(d) of the Prevention of Corruption Act.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and relies on an order dated 13.09.2022 in Criminal Miscellaneous No. 38944 of 2022 to submit that the District Program Officer was granted bail by the said order against whom it is alleged that it was he



who either interpreting or misinterpreting the order of the writ court had reinstated the petitioner back in service with full back wages which caused loss to the government exchequer. It is further submitted that when the District Program Officer has been granted privilege of anticipatory bail by the aforesaid order, the case of the petitioners is on a much better footing, it is also submitted that the persons identically situated like petitioners were also granted bail *vide* order dated 22.09.2022 in Criminal Miscellaneous No. 27714 of 2022 (**Mahendra Prasad and Ors. V. The State of Bihar**), it is thus submitted that since petitioners are also similarly situated like the petitioners of Criminal Miscellaneous No. 27714 of 2022 as such they also deserve to be released on anticipatory bail.

Learned Spl. P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the



case is pending/successor court in connection with Supaul P.S.
Case No. 800 of 2021, G.R. No. 2181 of 2021 subject to the
conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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