

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37939 of 2022

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

1. KHUSHI LAL MANDAL SON OF LATE SUNDAR MANDAL RESIDENT OF VILLAGE- PARSONI, P.S.- MURAUNA, DISTRICT- SUPAUL
2. SARYU MAHTO SON OF LATE SUKHDEV MAHTO RESIDENT OF VILLAGE- CHANDANPATTI, P.S.- GAMHARIYA, DISTRICT- MADHEPURA
3. INDRA NARAYAN JHA SON OF LATE NASIB LAL JHA RESIDENT OF VILLAGE- BABHANGAMA, P.S.- TRIVENIGANJ, DISTRICT- SUPAUL
4. RAM BABU YADAV SON OF LATE MALAR YADAV RESIDENT OF VILLAGE- PARIKOCH, P.S.- BARHARA, DISTRICT- SUPAUL
5. DEO NARAYAN YADAV SON OF LATE BHOLA YADAV RESIDENT OF VILLAGE- JHOKAIN, P.S.- PIPRA, DISTRICT- SUPAUL
6. SANT LAL YADAV SON OF LATE AYODHI YADAV RESIDENT OF VILLAGE- KHAKHAI, P.S.- KISHANPUR, DISTRICT- SUPAUL
7. BAIDYANATH YADAV SON OF LATE NAGAD LAL YADAV RESIDENT OF VILLAGE- PACHBHINDA, P.S.- MAROUNA, DISTRICT- SUPAUL
8. BHUVNESHWARI PRASAD YADAV SON OF LATE BHUKHAN PRASAD YADAV RESIDENT OF VILLAGE- SUKHASANI, P.S.- PIPRA, DISTRICT- SUPAUL
9. BASUDEO SAH SON OF LATE RAMESHWAR SAH RESIDENT OF VILLAGE- THUMHA, P.S.- PIPRA, DISTRICT- SUPAUL
10. LAXMAN MANDAL SON OF LATE ASHARFI MANDAL RESIDENT OF VILLAGE- BASHA, P.S.- PIPRA, DISTRICT- SUPAUL
11. VINDESHWARI PRASAD YADAV SON OF LATE LILA PRASAD YADAV RESIDENT OF VILLAGE- BALUWA, P.S.- SUPAUL, DISTRICT- SUPAUL
12. TEJ NARAYAN YADAV SON OF LATE RAMI YADAV RESIDENT OF VILLAGE- TULAPATRI, P.S.- KISHANPUR, DISTRICT- SUPAUL
13. UPENDRA PRASAD YADAV SON OF LATE SITA RAM YADAV RESIDENT OF VILLAGE- MOUJAH, P.S.- KISHANPUR, DISTRICT- SUPAUL
14. AJIT KUMAR JHA SON OF LATE KALADHAR JHA RESIDENT OF VILLAGE- VEENA, P.S.- SUPAUL, DISTRICT- SUPAUL
15. RAJENDRA PRASAD YADAV SON OF LATE BOUKU PRASAD YADAV RESIDENT OF VILLAGE- BHAIIDYANATHPUR, P.S.- KISHANPUR, DISTRICT- SUPAUL
16. VISHWANATH PRASAD YADAV SON OF LATE KHUSHI LAL YADAV RESIDENT OF VILLAGE- KATAIYA, P.S.- SINGHESHWAR, DISTRICT- SUPAUL



17. PUNITA MISHRA WIFE OF VIJAY KUMAR MISHRA RESIDENT OF VILLAGE- VEENA, P.S.- SUPAUL, DISTRICT- SUPAUL
18. SITA RAM YADAV SON OF LATE SEVI LAL MANDAL RESIDENT OF VILLAGE- TULAPATTI, P.S.- KISHANPUR, DISTRICT- SUPAUL
19. LAL SINGH SON OF LATE BALBHADAR RESIDENT OF VILLAGE- RATOULI, P.S.- PIPRA, DISTRICT- SUPAUL
20. MITHILESH KUMAR SON OF LATE BHAGWAT YADAV RESIDENT OF VILLAGE- KATAIYA, P.S.- PIPRA, DISTRICT- SUPAUL

... .. Petitioner/s

Versus

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

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra
For the Opposite Party/s : Mr.Arvind Kumar

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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