

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22444 of 2023

Arising Out of PS. Case No.-89 Year-2017 Thana- MOUZAHDIPUR District- Bhagalpur

KUMAR ANUJ Son of Late Ramjee Prasad Resident of village - Amrai
Nawada, Post Office - Bihiyan, P.S.- Bihiyan, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sanjeev Ranjan, Adv. Mr.Sourav Suman, Adv. Mr.Aalekh Anand, Adv.
For the State	:	Mr.Amit Kumar Rakesh, APP
For the Vigilance	:	Mr.Rana Vikram Singh, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 23-08-2023 Heard the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable u/s 406, 409, 120B, 417, 418, 420, 423, 426, 431, 464, 465, 468, 477(A) read with 34 of the IPC, section 3(O) of Damage to Public Property Act, 1988 and section 7 of Prevention of Corruption Act, 1988.

3. Allegedly, in the matter of allotment of land and realisation of rent, the prosecution alleged that the petitioner misappropriated a huge amount with the connivance of other accused persons.

4. 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 due to ulterior motive. One similarly situated co-accused, who was the Class-IV Grade employee was granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 17.10.2017 passed in Cr. Misc. No.44569 of 2017 and allegation against the co-accused Mukesh Kumar Sinha is to take the amount from the allotted person but he was also granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 19.09.2017 passed in Cr. Misc. No.39005 of 2017. In response to query of this Court regarding filling of this anticipatory bail application after a long delay, learned counsel for the petitioner submits that he moved for anticipatory bail before the learned Court below in the year, 2021 and the same was rejected on 04.10.2021 itself. Thereafter, he filed a quashing application against the F.I.R. and when the quashing application was dismissed, thereafter, in the year 2023, he filed the present application for anticipatory bail. Petitioner has one criminal antecedent.

5. Learned counsel for the Vigilance opposed the prayer for bail and submitted that the matter was recently handed over to the Vigilance department.

6. Having regard to the facts and circumstances of the case and considering that similarly situated co-accused has been



granted anticipatory bail, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Mojahidpur (Babarganj) P.S. Case No.89 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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