

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40358 of 2024

Arising Out of PS. Case No.-34 Year-2022 Thana- VIGILANCE District- Patna

Ram Nagina Tiwari Son Of Late Ramrup Tiwari Resident Of Village- Pakari,
P.O.- Rajpur, P.S.- Rajpur , Dist- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Department Of Vigilance Investigation Bureau Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manindra Kishore Singh
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 13-09-2024 Heard learned counsel for the petitioner, learned
A.P.P. and learned counsel for the Vigilance Department.

2. The petitioner apprehends his arrest in a case registered for the offence under Sections 406, 409, 420, 467, 468, 471, 120(B) of the Indian Penal Code and Section 13(2) r/w 13(1)(c) of Prevention of Corruption Act, 1988.

3. It is alleged that petitioner alongwith other co-accused persons embezzled the money amounting to Rs. 1,75,00,612/- when they were engineers and contractors in the construction against the Agreement No. 3F2/2005-06. It is further alleged that altogether 221 items had to be constructed in respect to the said agreement in the year 2005-06 and 2006-07, but only 132 constructions were found available.

4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case after retirement only on suspicion. At the relevant time,



petitioner was posted as Junior Engineer and has retired on 31.01.2022 and the said work is related to the year 2005-06 and 2006-07. During his service period, no irregularity was found and after lapse of about 18 years of the agreement, this case has been lodged. During investigation, petitioner has also appeared before the Vigilance Department. Similarly situated co-accused Phanindra Nath Singh has been granted bail by this Court, vide order dated 29.04.2024 passed in Cr.Misc. No. 18058 of 2024.

5. Learned A.P.P. for the State and learned counsel for the Vigilance Department opposed the prayer for bail.

6. Considering the fact that petitioner has already retired from the service and similarly situated co-accused has already been granted bail, the prayer for anticipatory bail of petitioner is allowed.

7. Accordingly, in the event of arrest/surrender before the Court below within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Vigilance, Muzaffarpur / concerned court in connection with Special Case No. 21 of 2022, arising out of Vigilance Patna P.S. Case No. 34 of 2022, subject to condition as laid down under



Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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