

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60875 of 2025

Arising Out of PS. Case No.-6 Year-1984 Thana- VIGILANCE District- Patna

Braj Kishore Dwivedi S/o Late Kanhaiya Dwivedi R/o vill and P.O. -
Nawgawa, P.S.- Ramnagar, Distt.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bashishtha Kr. Misha, Adv
		Mr. Brij Kishor Mishra, Adv
For the Opposite Party/s :		Mr. Arvind Kumar, Adv

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 16-09-2025 Heard learned counsel for the petitioner and learned
counsel for the Vigilance.

2. The petitioner has preferred this application for grant of regular bail in connection with Vigilance P.S. Case No. 06/1984, Special Case No. 171/2002 registered for the offences punishable u/s 463, 464(3), 465, 466, 468 and 120B of the Indian Penal Code and Sections 5(2) read with section 5(1)(c) of the Prevention of Corruption Act.

3. As per the prosecution case, the informant alleged that the petitioner along with co-accused persons is alleged to have embezzled the loan amount shown in the name of the farmers.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged occurrence. There is no specific allegation against the petitioner and vague allegation was made against him. Learned counsel has submitted that the petitioner is 77 years old and has lost one eye in accident and has become physically handicapped. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 17.07.2025.

5. Learned counsel for the Vigilance has vehemently opposed the bail petition of the petitioner by submitting that this case was instituted in the year 2002 yet the petitioner has not appeared before the court in this case. The process of 82 and 83 of the Cr.P.C. was issued on 07.12.2013 but the concern police did not produce the petitioner before the court. The petitioner is absent for more than 23 years. Further, NBW, 82 and 83 of the Cr.P.C. issued by the court against him on 23.01.2025. It is further submitted that the petitioner knowingly and deliberately misuse the judicial process in his interest.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-



named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Vigilacne, North Bihar, Muzaffarpur in connection with Vigilance P.S. Case No. 06/1984, Special Case No. 171/2002, with the condition:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

atul/-

U		T	
---	--	---	--

