



rial No.

Date.

Order (s) with Signature (s)

1

2

3

**PRESENT**

HON'BLE MR. JUSTICE A. P. SUBBA, JUDGE

11.

15.04.2009

The order dated 6<sup>th</sup> January, 2009 passed earlier shows this petition as disposed of. It, however, appears that the observation regarding disposal of the matter crept into the order through inadvertence. Accordingly, the part of the order which shows that this matter has been disposed is hereby recalled.

Heard further arguments.

The learned senior counsel appearing for the petitioner in the course of his further submission stated that the petitioner herein apprehends arrest in connection with the same FIR bearing No.RC-21/2008 of the Sikkim Vigilance Police as in Bail Appln. No.5 of 2009 – Kunwar Onkar Singh vs. State of Sikkim. It is stated that even though he is not named in the FIR, his father Kunwar Onkar Singh who is the former Managing Director of SDL has been named and his apprehension is based on the fact that he is an employee of the SDL presently working in the capacity of Executive Director. It is further submitted by the learned senior counsel that vide order passed today in the above-mentioned Bail Application concerning the same FIR the petitioner Kunwar Onkar Singh has been granted anticipatory bail with certain conditions. Since the facts and law applicable in the present case are similar, the learned counsel prays that the petitioner herein may also be granted anticipatory bail with similar conditions. The learned Additional Public Prosecutor raises no serious objection to such prayer made by the learned counsel for the petitioner.

Considered.

Since facts in this case are identical and the law applicable to the case is same, I find substance in the



rial No.

Date.

Order (s) with Signature (s)

1

2

3

submission of the learned counsel for the petitioner and as such, I am of the view that similar order is called for.

Accordingly, this bail application is disposed of with the following order:-

- (i) The petitioner shall be released on bail in the event of his arrest by the police/arresting authority in connection with RC-21/2008 of the Sikkim Vigilance Police on his furnishing personal bond of Rs.2,00,000/- (Rupees two lakhs) only with one reliable surety of the like amount to the satisfaction of the arresting authority.
- (ii) The petitioner shall not make any threat or inducement to any person or persons acquainted with the facts of the case so as to dissuade them from disclosing it either to the police or to the Court. He shall not maintain any contact with any employees working in the SDL and interact with them until the investigation is over.
- (iii) He shall make himself available to the I.O. at the Vigilance Police Station, Gangtok for interrogation as and when required by the I.O.
- (iv) He shall not leave the country without the previous permission of the Court until the investigation is completed.
- (v) This order shall remain operative for a period of one month from the date of this Order. In the meantime, the petitioner may approach the competent Court for regular bail, if so advised.

  
**Judge**

15-04-2009