

Court No. - 78

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 37966 of 2023

Applicant :- Suprim Kumar Singh

Opposite Party :- State of U.P.

Counsel for Applicant :- Raghuvansh Misra

Counsel for Opposite Party :- G.A.

Hon'ble Raj Beer Singh,J.

1. Heard learned counsel for the applicant, learned A.G.A. for the State and perused the record.

2. The present bail application has been filed by the applicant in Case Crime No. 180 of 2023, under Section-7 of the Prevention of Corruption Act, P. S.-Tharwai, District-Prayagraj, with the prayer to enlarge the applicant on bail.

3. Learned counsel for the applicant submitted that the applicant is innocent and he has been falsely implicated in this case. The applicant was working as Revenue Inspector/Regional Kanoogo. As per prosecution version, the construction being made by the de-facto complainant was got stopped by the revenue officials and that the applicant was demanding an amount to the tune of Rs. 6000/- for allowing the construction work and thereafter on the complainant of de-facto complainant, the applicant was apprehended on 24.6.2023 while he accepted amount of Rs. 6000/- from the de-facto complainant. Learned counsel for the applicant submitted that in fact, the complainant was trying to take possession over the public land and in that connection, the applicant has submitted a report to the higher officers, which was also seen by the concerned S. D. M. As the applicant tried to stop

the possession of the de-facto complainant over the public land, he has been falsely implicated by concocting a false story. There is no independent witness of the alleged incident of trap. It is further submitted that there was absolutely no occasion on the part of the applicant to make any demand of illegal gratification and thus, no case under Section-7 of the Prevention of Corruption Act is made out. In this connection, learned counsel for the applicant has referred a Constitution Bench judgement of the Hon'ble Apex Court in the case of **Neeraj Dutta Versus State (NCT of Delhi) 2022 OnLine SC m1724 (paragraph 68)**. It is further submitted that the investitation of the case is already complete and that the amount involved in the incident is not huge and that the applicant is languishing in jail since 25.6.2023, and that in case the applicant is released on bail, he will not misuse the liberty of bail and will cooperate in trial.

4. Learned A. G. A. has opposed the application and submitted that the applicant was working as Revenue Inspector, and he was apprehended red handed while accepting amount of Rs. 6000/- from the de-facto complainant.

5. Considering the submissions of learned counsel for the parties, nature of accusations, period of custody and all attending facts and circumstances of the case, without expressing any opinion on the merits of the case, the Court is of the view that a case for bail is made out. Hence, the bail application is hereby allowed.

6. Let the applicant-**Suprim Kumar Singh** involved in aforesaid case crime, be released on bail on furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court below subject to following conditions:

- i. The applicant shall not tamper with the evidence during the trial.
 - ii. The applicant shall not pressurize/intimidate the prosecution witness.
 - iii. The applicant shall appear before the trial court on the date fixed, unless personal presence is exempted.
 - iv. The applicant shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected.
 - v. The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer or tamper with the evidence.
7. In case of breach of any of the above condition, the Court concerned shall be at liberty to cancel bail of applicant in accordance with law.

Order Date :- 31.10.2023

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