

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17734 of 2015

Arising Out of Vigilance P. S. Case No. -13 Year- 2015 District- PATNA

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Awadhesh Kumar Ram @ Awadhesh Kumar son of Sri Raja Ram, resident
of Mohalla/ Village- Jagapur Kothi, P.s Jamo Bazar, District- Siwan.

.... Petitioner

Versus

The State of Bihar through Vigilance

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Krishna Chandra, Adv.

For the Opposite Party/s : Mr. Ramakant Sharma(L.O.,I/C Vig.)

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

5 17-07-2015 Heard learned counsel for the petitioner and learned
counsel for Vigilance.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 7, 13(2) read with section
13(1)(d) of Prevention of Corruption Act.

Allegation is that the petitioner was demanding
Rs.10,000/- for sanction of earned leave to the complainant. A
complaint was made to the Vigilance thereafter, a trap team was
constituted and the petitioner was apprehended red handed by the
trap team with tainted G. C. note of Rs.10,000/- (20 G.C. Notes of
Rs.500/- denomination) i.e. bribe money.

It is submitted that the petitioner had not demanded
any illegal gratification from the complainant, rather the reason for



the malice prosecution is that the petitioner had initiated action against the petitioner as well as the independent witnesses, who are the government servants working in the office of the petitioner. The complainant is in habit of lodging the case and he has been transferred from district Saran at Chapra on the basis of complaint made by his superior officer. However, after investigation charge-sheet has already been submitted and there is no chance of tampering with the witnesses. The petitioner is in custody since 10.2.2015 having no criminal antecedent.

Learned counsel for the Vigilance could not controvert the contention of the petitioner while opposing his prayer for bail.

Considering the facts and circumstances, the above named petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Special Judge, Vigilance-II, Patna/court concerned in Vigilance P. S. Case No. 13 of 2015 with following conditions:-

1. The petitioner will not indulge himself in similar or any other offence.
2. One of the bailors must be the close relative of the petitioner.

3. The petitioner will be well represented in the Court on each and every date and in case of absence for two consecutive dates or in case of violation of terms of bail, his bail bond would be liable to be cancelled by the learned Court concerned.

(Amaresh Kumar Lal, J)

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