

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3249 of 2015

Arising Out of PS.Case No. -76 Year- 2014 Thana -C.B.I CASE District- PATNA

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1. Mahabir Singh Son of Late Ayodhi Singh, Resident of Navaratan Hatta,
Raj Nagar, P.S. K. Hat, District - Purnea.

.... Petitioner/s

Versus

1. The State of Bihar Through The Vigilance

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rana Pratap Singh, Sr. Adv.
Mr. Prakash Kumar, Adv.

For the Opposite Party/s : Mr. Rabindra Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 04-03-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in connection with Special
Case No. 60 of 2014 arising out of Vigilance P.S. Case No. 76 of
2014 registered for the offences punishable under sections 7,
13(2) read with 13(1)(d) of the Prevention of Corruption Act,
1988.

According to the prosecution case, the petitioner is
alleged to have been caught red-handed while accepting
Rs.21,000/- as illegal gratification.

Learned counsel for the petitioner has submitted that
the petitioner has been falsely implicated in the case as there was
no occasion for him to make any demand from the complainant.

The petitioner is neither licence issuing authority nor any work of the complainant was pending before him. He has submitted that the petitioner was a clerk at the relevant time and is in custody since 21st October, 2014. The investigation of the case is over and custodial interrogation of the petitioner is not warranted.

On the other hand, learned counsel for the Vigilance has opposed the prayer for bail.

Having regard to the facts and circumstances of the case, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Vigilance, Trap, Patna in connection with Special Case No. 60 of 2014 arising out of Vigilance P.S. Case No. 76 of 2014, subject to the following conditions :

- (a) The petitioner shall not influence the witnesses or tamper with any document;
- (b) The petitioner shall not leave the limits of India without prior permission of the trial Court;
- (c) The petitioner 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 him from disclosing such fact to



the Court;

- (d) The petitioner shall not do any act prejudicial to the interest of the prosecution;
- (e) The petitioner shall receive the police report and other documents in terms of Section 207 of the Code of Criminal Procedure as and when the same is supplied to him by the Court; and
- (f) The petitioner shall abide by the above conditions scrupulously and in case of violation of any of the conditions, the prosecution would be at liberty to move this Court for cancellation of bail.

(Ashwani Kumar Singh, J)

Pradeep/-

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