

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10907 of 2016

Arising Out of PS.Case No. -100 Year- 2015 Thana -C.B.I CASE District- PATNA

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1. Lal Kund Kumar Son of Nunulal Mandal, Resident of Village - Baijnathpur, Police Station - Sour Bazar, District - Sahara, at present Block Education Officer in Block - Triveniganj, P.S. - Triveniganj, District - Supaul.

.... Petitioner/s

Versus

1. The State of Bihar Through S.p. Vigilance, Patna

.... Opposite Party/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 27-04-2016 Heard learned counsel for the petitioner and learned counsel appearing for the Vigilance.

The petitioner seeks bail in connection with Special Case No. 21 of 2015 arising out of Vigilance Case No. 100 of 2015 registered for the offences punishable under Sections 7/13 (2) read with Section 13 (1) (d) of the Prevention of Corruption Act.

Allegedly, the petitioner demanded bribe of Rs. 10,000/- from Manoj Kumar Mehta and after verification it was found true and thereafter, during trap the petitioner was apprehended with bribe amount of Rs. 10,000/- and chemical test also shows positive result.



Submission is of false implication and that the prosecution story appears not probable and reliable, the petitioner has been made victim of the circumstances, against the complainant there was a complaint and the petitioner made enquiry and on that basis, the complainant was removed from the post of Sankkul Coordinator so, he developed personal grudge against the petitioner, one of the witnesses is the villager of the complainant and another witness is his friend. Chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and, as such, the petitioner deserves sympathetic consideration.

The learned counsel for the Vigilance opposes the prayer of bail.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and, as such, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Vigilance, Trap, Patna in connection with Special Case No. 21 of 2015 arising out of Vigilance Case No. 100 of 2015, subject to the conditions that one of the bailors must be near

relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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