

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.8400 of 2016

Arising out of PS.Case No. -97 Year- 2015 Thana -C.B.I CASE District- PATNA

Jawahar Singh, S/o Late Baiju Singh, resident of village - Chaturbhuji - Brown, P.S. Piro, District - Bhojpur, At Present Assistant Police Inspector, Udwant Nagar Police Station, District – Bhojpur.

.... Petitioner

Versus

The State of Bihar through the Secretary, Vigilance Bureau of Investigation Department, 6, Circular Road, Distt. - Patna

.... Opposite Party

Appearance :

For the Petitioner : Mr. Yogesh Chandra Verma, Sr. Advocate
and Mr. Abinash Kr. Sinha, Advocate.

For the Opposite Party : Mr. Ramakant Sharma (Law Off. Vig)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 02-09-2016 Heard learned senior counsel for the petitioner and
learned counsel for the Vigilance.

The petitioner is languishing in custody since 28.11.2015
in connection with Vigilance P.S. Case No. 97 of 2015 for the
offences instituted under Sections 7/13(2) read with 13(1)(d) of
the P.C. Act.

The prosecution story, in brief, is that the petitioner was
caught red handed while receiving Rs. 8,000/- from the
complainant and the same was recovered from his possession.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 28.11.2015 and the charge sheet has

been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. The petitioner has got no criminal antecedent. He has been made accused in the present case due to mistake of fact. He has remained in custody for more than nine months. He has retired from the services.

On behalf of the Vigilance, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing 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-1, Patna, in connection with Vigilance P.S. Case No. 97 of 2015.

It is further directed that the petitioner shall co-operate during the pendency of the case. If the prosecution feels that the petitioner is not co-operating then they will be at liberty to file an application for cancellation of bail of the petitioner.

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(Sudhir Singh, J)