

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22009 of 2016

Arising Out of PS.Case No. -22 Year- 2016 Thana -C.B.I CASE District- PATNA

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1. Md. Asif Khan S/o Zafeer Alam Khan Resident of Aliganj, P.O. + P.S.
Chandauti, District - Gaya.... Petitioner

Versus

1. The State of Bihar
2. The State of Bihar through the Cabinet Vigilance Department, Govt. of
Bihar, Patna

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Y. V. Giri, Sr. Advocate
Mr. Vikas Ratan Bharti

For the Opposite Party/s : Mr. Rama Kant Sharma, Sr. Advocate
(L.O,I/C Vigi)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 23-05-2016 Heard learned Sr. Counsel for the petitioner and learned Sr.
Counsel for the Vigilance.

The petitioner seeks bail in connection with Vigilance P.S.
Case No. 22 of 2016 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 being the clerk in Electricity Office,
Fatuha demanded bribe of Rs. 20,000/- from the complainant Lal Babu
Mahto for clearing the pension and arrear of his mother Fulo Devi,
which after verification by the vigilance official was found true and
accordingly, during trap the petitioner was apprehended when he was
accepting the bribe amount of Rs. 15,000/- and further chemical test
also shows positive result.

Submission is of false implication and that as alleged no work was pending before the petitioner, he has been made victim of circumstances, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and the petitioner by remaining in custody since 01.03.2016 has been sufficiently penalized.

Learned Sr. Counsel for the Vigilance opposes the prayer of bail.

In the facts and circumstances stated above, 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 1st, Patna in connection with Special Case No. 06 of 2016 arising out of Vigilance P.S. Case No. 22 of 2016, subject to the conditions that one of the bailors must be a 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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