

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45825 of 2015

Arising Out of PS.Case No. -61 Year- 2015 Thana -C.B.I CASE District- PATNA

=====

1. Yogendra Yadav S/o Late Harpati Yadav R/o vill. - Badi Bishar, P.S. Barahat, Distt. - Banka A/P Asstt. Sub Inspector, Khushrupur Police Station, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar Through Vigilance

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shyam Kumar Singh

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

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 01-03-2016 Heard the learned counsel for the petitioner as well as the learned Special P.P for the State.

The petitioner seeks bail in a case for the offences punishable under sections 7/13 (2) read with 13 (1) (d) of the Prevention of Corruption Act, 1988.

Allegedly, the petitioner being the Investigating Officer of Khushrupur P.S. Case No. 119 of 2015 demanded bribe of Rs. 15,000/- from the informant and after verification the trap party was organized and then the petitioner was caught when he accepted Rs. 10,000/- from the complainant and kept the same in his pocket and the bribe amount was recovered from his right pocket. In chemical examination reaction was found positive.

Submission is of false implication and that there was no occasion to demand bribe from the informant of the said Khushrupur police station case, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such the petitioner who is suffering in custody since 31.07.2015 deserves sympathetic consideration, to which the learned Special P.P. opposes.

In the facts and circumstances as stated above, considering detention of the petitioner, now he is directed to 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 Special Judge, Vigilance-1, Patna in Special. Case No. 36 of 2015 arising out of Vigilance P.S. Case No. 61 of 2015, 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.

Abhay/-

(Jitendra Mohan Sharma, J)

U		T	
---	--	---	--