

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22659 of 2016

Arising Out of PS.Case No. -32 Year- 2016 Thana -C.B.I CASE District- PATNA

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1. NAGENDRA KUMAR CHOUDHARY @ NAGENDRA CHOUDHARY @ CHOTU Son of Sri Gorakhnath Choudhary Resident of Village Birmapur (Kritpura) Police Station Koilwar in the district of Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar Through Vigilance Investigation Bureau, Bihar, Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma

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

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 26-05-2016 Heard the learned counsel for the petitioner as well as the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences punishable under sections 7, 8 and 13 (2) read with section 13 (1) (D) of the Prevention of Corruption Act.

Allegedly, Dr. Jayendra Prasad Sinha, the Deputy Superintendent of Sadar Hospital, Arrah demanded bribe of Rs. 3,37,000/- to clear the bill of the complainant and further directed to meet the petitioner in this regard and thereafter the petitioner demanded at least Rs. 60,000/- and then the allegation was verified which was found true. The petitioner received the bribe amount and handed over to Dr. Jayendra Prasad Sinha who kept the same in the drawer. The chemical test also shows positive

result.

Submission is of false implication and that the petitioner without any fault has been made accused in this case, he has no concern with the said doctor, the petitioner has been taken into custody on 18.03.2016 and has been remanded on 19.03.2016, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned counsel for the vigilance opposes prayer for bail.

In the facts and circumstances as stated above, the petitioner 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 1st, Patna in Vigilance P.S. Case No. 32 of 2016/ Special Case No. 17 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.

Abhay/-

(Jitendra Mohan Sharma, J)

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