

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24004 of 2016

Arising Out of PS.Case No. -15 Year- 2016 Thana -C.B.I CASE District- MUZAFFARPUR

Uma Kant Singh S/o Late Phuleshwar Prasad Singh, resident of Mohalla -
Rajendra Colony, P.S. Naugachhia, District Bhagalpur, at present posted as
A.S.I. Mahindrawra, O.P. P.S. Runnisaidpur, District - Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar
2. Director Vigilance, Patna, Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s	:	Dr.Alok Kumar, Advocate Mr. Ajit Ranjan Kumar, Advocate Mr.Harendra Kumar Singh, Advocate
For the Opp.Party No.1	:	Mr.Kumar Ranjit Ranjan, APP
For the Opp.Party No.2	:	Mr.Ramakant Sharma, Sr. Advocate Mr.Kedar Singh, AC to Vigilance counsel

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 01-06-2016 Heard the learned counsel for the petitioner and the
learned senior counsel appearing on behalf of the Vigilance.

The petitioner seeks bail in a criminal prosecution
registered under Section 7/13(2) read with Section 13 (1)(D) of the
Prevention of Corruption Act, 1988.

As per prosecution case, the petitioner was caught
red-handed while accepting bribe of Rs.6,000/-.

The learned counsel appearing on behalf of the
petitioner submits that the petitioner is in judicial custody since
11.02.2016 and he is the first offender. He further submits that
now chargesheet has been submitted in the present case and the
petitioner, being a government servant, is not likely to abscond or
tamper with the prosecution evidence.

The learned senior counsel appearing on behalf of the
Vigilance though, has opposed the prayer, but has not disputed

the aforesaid submissions.

Be that as it may, taking into consideration the period of incarceration and also taking into consideration the fact that the petitioner is said to be the first offender, let the above named petitioner be released on bail on furnishing bail bond of Rs.50,000/-(Rupees fifty thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Vigilance, North Bihar, Muzaffarpur in connection with Vigilance P.S.Case No. 15 of 2016, Special Case No. 8 of 2016, subject to the following conditions that:

(A) one of the bailors must be a government servant or close family member or close relation of the petitioner, who will file an affidavit in the court below showing his/her relationship with the petitioner,

(B) if the petitioner is found involved in same and similar nature of cases in future, then in that case, the informant/prosecution shall be at liberty to file a petition for cancellation of bail bonds of the petitioner, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving an opportunity of hearing to all concerned, and

(C) the petitioner shall make regular pairvi in the court below in the present case either by appearing himself in person or through representation by his lawyer on each and every dates, and if on two consecutive dates petitioner fails to make pairvi, then the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Prasad Verma, J)

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