

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36214 of 2017

Arising Out of PS.Case No. -45 Year- 2017 Thana -VIGILANCE District- PATNA
=====

1. Hans Kumar son of Late Mathura Paswan resident of village - Khaira,
P.S. - Ben, District - Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar through Director General of Vigilance.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. P.K. Sahi, Sr. Advocate
	:	Mr. Vipin Kumar, Advocate
For the Vigilance	:	Mr. Ramakant Sharma, Sr. Advocate
	:	Mr. S.K. Pandey, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 18-09-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Special Case No. 35 of 2017 arising out of Vigilance Case No. 45 of 2017 disclosing offences under Sections 170, 419, 420, 384, 385 of the Indian Penal Code and Section 3/17(2) read with Section 13(1)(d) of the Prevention of Corruption Act.

Learned counsel for the petitioner has submitted that the petitioner, who is of clean antecedent, is innocent and has not committed any offence. In fact, the petitioner happens to be a Government employee, discharging his duties in Vigilance Department, used to protect public from the corruption being made by the public servants but unfortunately, this petitioner has been made a victim of circumstance only. Several officials have



made allegation on the petitioner regarding the illegal demand made by him but no documentary evidence or even any evidence is available on the record. As matter of fact, one of the officials, who made allegation against the petitioner, happen to be D.T.O. and Deputy Registrar and about their disproportionate asset and the illegal demand of Rs. 15 lakh, made from the Mukesh Kumar by the D.T.O., the petitioner has submitted report in this regard to D.G. Vigilance, therefore, the petitioner has falsely been implicated in this case. Hence, the petitioner deserves the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, 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 learned Special Judge, Vigilance-1st, Patna in connection with Special Case No. 35 of 2017 arising out of Vigilance Case No. 45 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

Brajesh/-

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

