

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5213 of 2017

Arising Out of PS.Case No. -116 Year- 2016 Thana -VIGILANCE District- PATNA

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1. Baidyanath Yadav, Son of Bathu Yadav, resident of Village- Jainagar,
Ward No.8, P.S.- Jainagar, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar Through Vigilance.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate
Mr. Nilesh Kumar, Advocate
Mr. Shashank Shekhar, Advocate
For the Vigilance : Mr. Santosh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Ramakant Sharma(L.O,I/C Vigi)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 10-03-2017 Heard learned counsel for the petitioner, learned

counsel for the Vigilance and also learned counsel representing the

State.

The petitioner seeks bail in connection with Special
Case No. 52 of 2016, arising out of Vigilance P.S. Case No. 116
of 2016 registered for the offence punishable under Sections 7, 8,
13(2) read with Section 13(1)(d) of the Prevention of Corruption
Act, 1988.

Allegedly, bribe amount of Rs. 1,00000/- was
recovered from the possession of the petitioner, as he has received
the said amount from S.D.O., Jainagar.

Submission is of false implication and that in this



case similarly situated other co-accused have been allowed bail. Chandan Puri has been allowed bail vide Cr. Misc. No. 879 of 2017 by another co-ordinate Bench of this Court. The S.D.O. has also been allowed bail and, as such, the petitioner suffering in custody since 28.10.2016 also deserves sympathetic consideration.

The learned counsel for the Vigilance opposes the prayer of bail.

In the facts and circumstances stated above, considering the detention of the petitioner, now the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Special Judge, Vigilance, North Bihar, Muzaffarpur, in connection with Special Case No. 52 of 2016, arising out of Vigilance P.S. Case No. 116 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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