

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6306 of 2017

Arising Out of PS.Case No. -24 Year- 2014 Thana -KISHANGANJ District- KISANGANJ

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Guddu @ Md. Shahnawaz Akhtar, S/o Late Akhtar Hussain, R/v - Dumaria,
P.S. Kisanganj, Distt. – Kisanganj Petitioner

Versus

The State of Bihar, Through Vigilance Investigation Bureau, Bihar, Patna
.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha

For the Opposite Party/s : Mr. Ramakant Sharma (L.O., Inc.,
Vigilance)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 16-03-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Kishanganj P.S.
Case No. 24 of 2014 registered for the offences punishable under
Section 420 of the Indian Penal Code and Sections 8, 9 and 10 of
Prevention of Corruption Act.

Allegedly, the informant got information that near the office
of DCLR the petitioner has opened Gumti and has kept staff Bablu
Paswan and used to do the work of middle man in the District Transport
Office and then the Gumti of the petitioner was raided where Bablu
Paswan was found sitting and several incriminating articles were
recovered from Gumti of the petitioner.

Submission is of false implication and that the petitioner is
suffering in custody since 09.01.2017, in this case co-accused Ravindra
Kumar Raman has already been allowed pre-arrest bail who was Head



Clerk in the District Transport Office, against the petitioner no offence under the provisions of the Prevention of Corruption Act is made out and further no offence under Section 420 IPC is made out. The petitioner was not found in the Gumti and only on suspicion he has been apprehended later on. The petitioner has got no criminal antecedent and as such he deserves sympathetic consideration.

Learned counsel representing Vigilance submits that some incriminating articles have been recovered.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Vigilance II, Patna in Special Case No. 04 of 2014 arising out of Kishanganj P.S. Case No. 24 of 2014, 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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