

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36269 of 2017

Arising Out of PS.Case No. -97 Year- 2017 Thana -BEUR District- PATNA

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Ram Kumar Yadav son of Talkeshwar Yadav resident of village - Mahuar,
Police Station - Ghanshyampur, District - Darbhanga.

.... Petitioner/s

Versus

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

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate.
For the State : Mr. Ashok Kumar, A.P.P.
For the Vigilance : Mr. Santosh Kr. Pandey, Advocate.
AC to Mr Ramakant Sharma, Sr. Advocate.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

2 10-08-2017 Heard learned counsel for the petitioner, learned A.P.P.

for the State and learned counsel for the Vigilance.

The petitioner is seeking regular bail in Special Case No. 26 of 2017, arising out of Beur P.S. Case No. 97 of 2017, initially registered under Section 384 of the Indian Penal Code read with Sections 7, 8 and 13 of the Prevention of Corruption Act, 1988; later a charge sheet has been submitted under Sections 7, 8 and 13 of the Prevention of Corruption Act, 1988.

Learned counsel for the petitioner submits that the petitioner is a retired army man, who has joined as SAP constable, and as per the allegations while being posted outside the Jail gate of Beur Jail, on 29.04.2017 this petitioner was shown by ETV Bihar in a live footage taking illegal gratification. Learned counsel



for the petitioner submits that the petitioner was not involved in taking illegal gratification, however, the TV footage has been shown and that is the only piece of evidence presently brought against him. Learned counsel further submits that the petitioner is in custody since 02.05.2017 and a charge sheet has already been submitted against him, hence, there is no need of further custodial interrogation of this petitioner and the petitioner is ready to abide by such terms and conditions which may be imposed by this Court for grant of bail.

Learned counsel for the Vigilance opposed the prayer for bail and submitted that in fact the petitioner has even tendered apology for the alleged occurrence.

Considering the facts and circumstances, particularly that the investigation in the present case is over, a charge sheet has already been submitted and no further custodial interrogation is required, let the petitioner, namely, Ram Kumar Yadav, be released on bail on his furnishing bail bonds of Rs. 25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Vigilance 1st, Patna in connection with Special Case No. 26 of 2017, arising out of Beur P.S. Case No. 97 of 2017, subject to the conditions as laid down under Section 437(3) Cr.P.C. and that the petitioner shall co-



operate in trial by putting his appearance as and when required for a speedy progress of the trial and in case of two regular defaults in appearance before the trial court, the bail bonds of the petitioner shall be cancelled by the court below.

(Rajeev Ranjan Prasad, J)

Dilip, AR

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