

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.45089 of 2017**

Arising Out of PS.Case No. -19 Year- 2017 Thana -KIUL RAIL P.S. District- LAKHISARAI

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1. DEPENDRA PRASAD YADAV @ DIPENDRA PD. YDV @ DEEPENDRA PRASAD YADAV son of Sri Mahabir Prasad Yadav resident of Village - Sonar Khap, P.S. - Tankupa, District - Gaya.
2. Shiv Nath Turi son of Late Maholal Turi resident of Village - Kanhaiyaganj, P.S. - Ongari, District - Nalanda.

.... .... Petitionerss/s

Versus

1. The State of Bihar through Vigilance.

.... .... Opposite Party/s

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**Appearance :**

For the Petitionerss/s : Mr. Malay Kumar Choudhary

For the Opposite Party/s : Mr. Rama Kant Sharma(L.O, I/C Vig.)

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

- 2      15-09-2017      The petitioners seeks regular bail in connection with Kiul G.R.P. P.S. Case No. 19 of 2017, registered for offences punishable under Sections 50/52 of the Bihar Prohibition and Excise Act, 2016 and subsequently added Section 13(2) read with Section 13(1)(d) of Prevention of Corruption Act, 1988.

Allegation against the petitioners, who are hawaldar and constable in railway police is that they after taking the bribe from the persons, who were alleged to have been caught with illicit liquor, released them with the said liquor.

It has been submitted on behalf of the petitioners that they have falsely been implicated in this case only on the basis of confessional statement of accused persons, who were apprehended with the illicit liquor. Further petitioner no. 1 has one criminal



antecedent, which is not similar as the present one, whereas petitioner no. 2 has no criminal antecedent.

Learned counsel appearing on behalf of the vigilance has opposed the prayer for bail.

Having heard both sides, in view of the above facts, let the petitioners above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Vigilance –II, Patna, in connection with Kiul G.R.P. P.S. Case No. 19 of 2017.

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) It is made clear that if the petitioners again found involved in any of the like offences, in future, prosecution will be free to move for cancellation of their bail bonds.

**(Vinod Kumar Sinha, J)**

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