

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25215 of 2018

Arising Out of PS.Case No. -553 Year- 2017 Thana -KISHANGANJ District- KISANGANJ

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1. Dilip Kumar, Son of Late Makhan Sah, Resident of Azadnagar, Ward No.9, Madhepura, P.S.- Madhepura, District- Madhepura.
 2. Bokran Lal Das @ Bokran Mandal, Son of Bokai Lal Dash @ Bokai Mandal, Resident of Village- Dhurpaili, P.S.- Amor, District- Purnia.

.... Petitioners

Versus

1. The State of Bihar through the Vigilance Department, Patna.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Pawan Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 07-05-2018 Heard learned counsel for the petitioners and learned counsel for the Vigilance.

2. The petitioners are in custody since 14.10.2017 in connection with Special Case No. 18 of 2017 arising out of Kishanganj P.S. Case No. 553 of 2017 for the offences alleged under Sections 218, 384, 120(B)/34 of the Indian Penal Code and Section 7, 13(2), 20 of Prevention of Corruption Act, 1988.

3. It is submitted that the petitioners have been falsely implicated in connection with alleged illegal recovery of money from truck owners in the name of entry fees. The petitioners were merely performing their duty on the instructions of the Motor Vehicle Inspector who has been made accused in this case and has since been granted bail by a coordinate Bench of this



Court in Cr. Misc. No. 2919 of 2018. Admittedly, receipts have been found to have been issued for an amount of Rs. 35,100/- and only an amount of Rs. 8,500/- was found in excess which was kept for the purpose of exchange. The petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioners above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Special Judge, Vigilance-II, Patna, in connection with Special Case No. 18 of 2017 arising out of Kishanganj P.S. Case No. 553 of 2017, on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioners.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State



shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

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