

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63160 of 2017

Arising Out of PS.Case No. -451 Year- 2017 Thana -GANDHIMAIDAN District- PATNA

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1. Moti Ram, Son of Late Shantu Ram, resident of Village- Barharwa,
P.S.- Turkauliya, District- Motihari, State- Bihar.

.... Petitioner/s

Versus

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

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brajesh Kumar

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 11-01-2018 Heard learned counsel for the petitioner and learned
counsel for the Vigilance.

The petitioner seeks regular bail in connection with
Gandhi Maidan P.S. Case No.451 of 2017 registered for the
offences punishable under Sections 394 of the Indian Penal Code
and Section 13(1)(c)(d) read with Section 13(2) of the Prevention
of Corruption Act.

It is alleged that the informant was urinating by the
side of the road. The police party caught the informant from
behind. When the informant wanted to know his wrong, the
police party abused and snatched his money. It has been
submitted that the petitioner is a constable having clean
antecedent. The other co-accused, namely, Md. Naushad Alam,



who was one of the members of police party, has been allowed bail by one of the coordinate Bench of this Court in Cr.Misc.No.58289 of 2017 on 12.12.2017. The case of the petitioner stands on similar footing. The petitioner is in custody since 12.09.2017.

The learned counsel appearing on behalf of the Vigilance opposed the submission.

Considering the facts and circumstances of the case, the prayer of bail is allowed. The petitioner, named above, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of the learned Special Judge-Vigilance, 1st, Patna in connection with Gandhi Maidan P.S. Case No.451 of 2017 (Special Case No.234 of 2017), subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) If the petitioner is found involved in future in similar type of allegation, the prosecution will have liberty to move for cancellation of bail.
- (iv) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without



showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Sanjay Kumar, J)

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