

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.58650 of 2018**

Arising Out of PS. Case No.-53 Year-2018 Thana- CHAKAND District- Gaya

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Mohan Saw @ Mohan Sao S/o Late Videshi Saw, R/o Vill.- GAnnubigha,  
P.S.- Chakand , District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar Through The Director General , Vigilance Investigation  
Bureau, Government of Bihar, Patna.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ravi Shanker Pankaj

For the Opposite Party/s : Mr. Arvind Kumar

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

4      01-11-2018                      Heard learned counsel for the petitioner, learned APP  
for the State and learned counsel for the Vigilance.

The petitioner seeks bail in Chakand P. S. Case No. 53  
of 2018 instituted for the offence under Section(s) 217, 221, 222  
and 120B of the Indian Penal Code and Section 51 of Bihar  
Prohibition and Excise Act, 2016 and Sections 7,8, 13(1)(d) read  
with Section 13(2) of Prevention of Corruption Act.

It is alleged in the written report that a Bolero vehicle  
loaded with illicit liquor was seized and the driver and one person  
sitting in the Bolero vehicle were arrested. It is further alleged that  
on the identification of the arrested accused persons, two other  
accused persons were also arrested and huge quantity of illicit  
liquor were also seized. The petitioner is alleged to have managed  
the S.H.O., Pawan Kumar by giving bribe to him and got two of



the accused persons released from the custody of the police.

Learned counsel for the petitioner has submitted that there is no eye witness to support that bribe was given by the petitioner to the Officer- in- charge.

Learned counsel for the State has submitted that in the written report there is statement of A.S.I namely, Ram Pravesh Goswami and Chowkidar Kanhaiya Paswan that this petitioner, who is father -in- law of the Sarpunch of Rasulpur Panchayat has come in the police station and in connivance with the officer -in- charge and by giving bribe managed to get two accused released who were confined in the Hazat and took away with him from the police station.

The learned counsel for the petitioner has further submitted that from the statements of A.S.I and Chowkidar, it does not appear that they have alleged to have seen any money having been paid by this petitioner to the officer- in- charge.

Learned counsel for the Vigilance has appeared and opposed the prayer for bail.

Considering the aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Vigilance 1<sup>st</sup> Patna, in connection with Chakand P. S. Case No. 53 of 2018, Special case



no. 29 of 2018 subject to the condition that both the bailers shall  
be the close relative of the petitioner.

**(Sanjay Priya, J)**

shyambihari/-

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