

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9553 of 2019

Arising Out of PS. Case No.-51 Year-2018 Thana- C.B.I CASE District- Muzaffarpur

Awadhesh Kumar Singh, (male), aged about 57 years, Son of Raja Prasad, the Drug Inspector Office of Civil Surgeon, Darbhanga Resident of Village - Repura, P.S. Saraiya, District - Muzaffarpur, at present Mohalla- Awas Nagar, P.S. Brahmpura, District - Muzaffarpur,

... .. Petitioner/s

Versus

The State of Bihar through the Vigilance Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh

For the Opposite Party/s : Mr.Anjani Kumar(L.O Ing Vigilance)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

9 24-07-2019

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 7(a) of the Prevention of Corruption Act.

Informant has alleged that he runs Indira Memorial Nursing Home, where in a medicine shop, which is registered in the name of his wife, namely, Lata Khetan, Drug Inspector, Awadhesh Kumar Singh, the petitioner, inspected the said shop and on his report drug licence was suspended for 15 days by Assistant Drug Controller. Thereafter, petitioner demanded Rs.80,000/- through his orderly Rajendra for restoration of his licence.

It has been submitted on behalf of the petitioner that



he is innocent and has falsely been implicated in this case. It has further been submitted that licence was cancelled only for 15 days and after completion of said period, it had to be vacated on 07.11.2018 itself so there was no need to give or take bribe for restoration of licence at the level of the petitioner. Petitioner is in custody since 30.11.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Special Case No.23 of 2018 arising out of Vigilance P.S. Case No.51 of 2018, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case,



prosecution will be at liberty to move for cancellation of
bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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