

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20953 of 2019

Arising Out of PS. Case No.-30 Year-2019 Thana- BUXAR District- Buxar

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HEMANT KUMAR Son of Harishankar Prasad Resident of Village - Jagdeo
Nagar, P.S.- Nawada, District- Bhojpur (Ara)

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Director, Vigilance, Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Kumar No2
For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 04-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Special Case
No. 05 of 2019, arising out of Buxar Town P.S. Case No. 30 of
2019 for offences punishable under Sections 420 and 409 of the
Indian Penal Code and Section 13(2) read with Section 13(1)(d)
of the Prevention of Corruption Act.

The prosecution case, as lodged by the Executive
Magistrate, is that on information that large number of driving
licences are issued illegally with illegal gratification, the informant
along with police personnel conducted a raid in the District Transport
Office, Buxar. Two Data Entry Operators named in the FIR were
found with cash of Rs. 940/- and 1600/- respectively and the



petitioner, who was the programmer, was found with a driving licence of one Santosh Kumar Pathak and cash of Rs. 4,800/-.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and no incriminating article has been recovered from the possession of the petitioner. He submits that the said cash belonged to the petitioner, the driving licence was given to the applicants and no illegality could be alleged against the petitioner. He further submits that one of the co-accused has since been granted the privilege of bail by a coordinate Bench of this court in Cr. Misc. No. 19199 of 2019 vide order dated 29.03.2019 on similar allegation and the petitioner is languishing in judicial custody since 13.01.2019. It is submitted that being a Government employee petitioner is ready to cooperate with the investigation and would be present before the police/ court as and when required.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of



learned Special Judge, Vigilance-I, Patna, in connection with
Special Case No. 05 of 2019, arising out of Buxar Town P.S.
Case No. 30 of 2019.

(Nilu Agrawal, J)

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