

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20107 of 2019

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

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Jitendra Kumar Son of Ramji Prasad Resident of Village and P.S.- Ghorasahar
(Ghorasahan), District- Purbi Champaran (Motihari) Petitioner/s
Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Prakash Dwivedi
For the Opposite Party/s : Mr.Bharat Bhushan

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 02-08-2019 Heard learned counsel for the petitioner and learned
AC to Law Officer for the Vigilance.

The petitioner, who is in custody since 13.01.2019,
has prayed for bail in connection with Buxar Town P.S. Case
No. 30 of 2019 registered for the offence punishable under
Sections 420 and 409 of the Indian Penal Code, Section 13(i)
and other Sections of the Prevention of Corruption Act.

As per allegation made in the FIR, it is alleged that on
secret information, when the informant reached in the computer
room of the District Transport Office at Buxar, seeing him, the
working employees become nervous. Further on search, Rs.
940/- in cash was recovered from Md. Firoz, Rs. 4,800/- was
recovered from Hemant Kumar and Rs. 1600/- was recovered
from Jitendra Kumar. It is alleged that they had been taking
illegal gratification in the course of their duty and, as such, the



case.

It is submitted by learned senior counsel appearing on behalf of the petitioner that the allegations as made in the FIR are false and concocted. The amount recovered is not such a large amount which would be attributable only to illegal gratification. It is further submitted that co-accused Md. Firoz and Hemant Kumar have been enlarged on bail vide order dated 29.03.2019 and 04.04.2019 passed in Criminal Miscellaneous No. 19199 of 2019 and Cri. Misc. No. 20953 of 2019 respectively.

On the other hand, it is submitted by learned counsel appearing for the Vigilance that it well known that demand and taking of illegal gratification in the offices are regularly taking place and on information received, a raid was conducted and petitioner and others were caught red handed and, as such, the petitioner's application for bail be rejected.

Having heard learned counsel for the parties and taking into consideration the fact that similarly situated co-accused have been enlarged on bail and that the petitioner is in custody since 13.01.2019, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like



amount each to the satisfaction of the learned Special Judge,
Vigilance 1st Patna in connection with Buxar Town P.S. Case
No. 30 of 2019.

(Partha Sarthy, J)

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