

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35416 of 2019

Arising Out of PS. Case No.-322 Year-2016 Thana- BUXAR District- Buxar

=====

ARUN KUMAR SINGH @ ARUN KUMAR Son of Late Chandra Dev Singh
Resident of Village - Bharsaunta, P.S.- Haldi, Dist.- Balia, Uttar Pradesh.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. The Director General Vigilance, Govt. of Bihar, Patna.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Uday Kumar

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

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 09-08-2019 Heard learned counsel for the petitioner and the

State.

The petitioner seeks bail in **Special Case No. 41C of 2016 arising out of Buxar Town P.S. Case No. 322 of 2016**, instituted for the offence under Section(s) 223, 224, 384/34 of Indian Penal Code and Sections 13(1) A/D (i) (ii) of the Prevention of Corruption Act, 1988.

It is alleged in the written report that raid has been conducted by one Dharmendra Kumar, Sub Inspector of DIU at the gambling place situated at P.P. road, Banglaghat, without permission of any senior police officials. It is further alleged that Dharmendra Kumar S.I. along with other police personnel set free two persons who were caught red handed by them after



receiving bribe amount without permission of any senior officials. On verification of aforesaid allegation, it was revealed that on 24.5.2016 at about 3:00 p.m. Dharmendra Kumar along with Constable Jitendra Kumar, Rakesh Rai, Arun Kumar (petitioner), Sunil Kumar Singh, Anil Kumar, Sushil Kumar and driver Amarjeet Kumar Yadav without informing any senior police officer conducted raid at a gambling place in the house of Babloo Choudhary. During raid, 6-8 persons managed to run away and two persons were arrested. It is further alleged that they set free the aforesaid two persons after taking bribe of Rs.2,35,000/- out of which Rs.100,000/- was paid by Rajendra Verma. The S.I Dharmendra Kumar returned Rs.60,000/-, Constable Jitendra Kumar returned Rs.20,000/-, Constable Rakesh Rai returned Rs.20,000/-, Constable Arun Kumar (petitioner) returned Rs.20,000/-, Constable Sunil Singh returned Rs.20,000/-, Constable Anil Kumar Singh returned Rs.15,000/-, Constable Sushil Kumar returned Rs.15,000/- and driver Amarjeet Yadav returned Rs.20,000/- total Rs.1,90,000/- in writing accepting their guilt. The informant verified the matter and found the allegation to be true.

Counsel for the petitioner submits that other co-accused with similar allegation has already been granted bail by



coordinate Bench of this Court vide order dated 23.5.2019 passed in Cr. Misc. 30059 of 2019. He further submits that petitioner has returned the money on the pressure of Superintendent of Police. He has been falsely implicated in the instant case.

Considering the aforesaid facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. 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 learned **Special Judge, Vigilance 1st, Patna, Distt. Patna,** in connection with **Special Case No. 41C of 2016 arising out of Buxar Town P.S. Case No. 322 of 2016,** subject to the condition that both the bailors will be close relatives of the petitioner.

(Sanjay Priya, J)

S.Ali/-

U		T	
---	--	---	--

