

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42991 of 2019

Arising Out of PS. Case No.-50 Year-2018 Thana- VIGILANCE District- Patna

Uma Shankar Prasad S/o Late Yugal Kishore Prasad R/o Mohalla- Shanti Nagar, Behind Temple, Chandradev Gali, P.S.- Danapur, District- Patna, Head Clerk, Nagar, Parishad Office, Danapur, Patna

... .. Petitioner/s

Versus

The State Of Bihar Through The Superintendent Of Police Vigilance Investigation Bureau Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lakshmi Kant Sharma

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

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 27-09-2019 Heard Mr. Rama Kant Sharma, learned senior counsel for the petitioner and Mr. Sanjay Prasad, learned counsel for the Vigilance Department.

The petitioner seeks bail in connection Vigilance P. S. Case No. 50 of 2018 giving rise to Special Case No. 54 of 2018 instituted for the offences under Section 7(a) of the Prevention of Corruption Act, 1988.

On a trap which was laid at a public place viz a petrol pump, the petitioner, who had been serving as a Head Clerk in Nagar Parishad, Danapur was arrested. However, the tainted money appears to have been recovered from another person, namely, Rama Shankar Prasad, who has



been granted bail by the court below.

Learned counsel for the Vigilance Department, while opposing the prayer for bail of the petitioner, has stated that the raid had been conducted at an open place because it was verified that money would exchange hands only at the petrol pump at the instance of the petitioner. He has further submitted that post raid, heavy amount to the tune of Rs. 22 lakhs has been recovered from the almirah kept in the office of the petitioner, which is occupied by other office bearers as well.

Mr. Sharma, learned senior counsel for the petitioner has submitted that with respect to such recovery, another case of disproportionate assets has already been lodged against the petitioner in which he has been granted bail.

In the present case, the petitioner is in custody since 17.11.2018.

Regard being had to the period of custody of the petitioner, this petition is allowed.

The petitioner, above-named, is directed to be



released on bail on his furnishing bail bonds in the sum of
Rs. 10,000 /- (Ten Thousand) with two sureties of the like
amount each to the satisfaction of the learned Special Judge,
Vigilance, 1st, Patna in connection with Special Case No. 54
of 2018 arising out of Vigilance P. S. Case No. 50 of 2018.

(Ashutosh Kumar, J)

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