

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44618 of 2019

Arising Out of PS. Case No.-434 Year-2018 Thana- LALGANJ District- Vaishali

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BISHUNDEO SINGH A.S.I, P.S. LALGANJ (VAISHALI) Son of Sri
Pranpati Singh @ Paran Singh. Resident of Village- Naragada, P.S.-
Kishungadh, District- Bhojpur.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Vigilance Investigation Bureau, 6 Circular Road, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anurag Saurav
For the Opposite Party/s : Mr.Nagendra Prasad

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 27-09-2019 Heard learned counsel for the petitioner and

learned APP for the State, assisted by learned counsel for the

Vigilance Investigation Bureau.

Petitioner seeks bail in a case registered for the

offences punishable under Sections 7, 13(a)(d) of the Prevention

of Corruption Act, 1988.

The informant is a private person. On demand by

co-accused Dinesh Kumar Yadav, the Officer-in-charge of

Lalganj Police Station, the informant paid Rs.10,000/- (Rupees

Ten Thousand) for registration of a Police case bearing Lalganj

Police Station Case No.374 of 2018. Thereafter, on dictate of

Dinesh Kumar Yadav, the informant paid Rs.10,000/- (Rupees



Ten Thousand) to this petitioner, who was Assistant Sub-Inspector of Police posted there and thereafter, when the informant could not succeed in his desired result, the matter was reported to the Inspector General of Police and F.I.R. was lodged.

Learned counsel for the petitioner submits that the informant was himself indulged in paying bribe to a public servant. Hence, he was also liable to be prosecuted criminally. He never made any complaint of demand of bribe to any authority so that the public servant could have been trapped. Rather complaint was made after the informant failed to achieve desired result from the Police Officer. Petitioner is in custody since 28.05.2019. Investigation of the case is already complete.

Counter affidavit has been filed on behalf of the Vigilance. However, they are unable to explain why the informant has not been implicated in this case up till now.

Considering the facts aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) 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.25 of 2018, arising out of Lalganj Police Station Case



No.434 of 2018, subject to condition that *both the bailors shall be resident of the territorial jurisdiction of the learned court below and the petitioner shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.*

(Birendra Kumar, J)

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