

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48143 of 2019

Arising Out of PS. Case No.-49 Year-2018 Thana- VIGILANCE District- Patna

OM PRAKASH PRASAD Son of Shri Parma Prasad Resident of
Hasanpurwa, Police Station-Ander, District-Siwan, Presently residing near
Jalalpur City, Police Station-Rupaspur, District-Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. State Vigilance Bureau, Bihar, Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K.Agrawal, Sr. Advocate Mr. Sanjeet Kumar, Advocate Mr. Digvijay Narayan Singh, Advocate
For the Vigilance	:	Mr. Anjani Kumar, Sr. Advocate Mr. Ajay Mishra, AC, Vigilance
For the Informant	:	Mr. Pushpendra Kumar Singh, Advocate Mr. Ashok Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 05-08-2019 Heard learned counsel for the parties.

Heard learned counsel for the petitioner and learned
learned Additional Public Prosecutor for the State.

The petitioner is in custody in connection with
Vigilance Case No. 49 of 2018, Special Case No. 23 of 2018
for the offenses under Section 7(a) of the Prevention of
Corruption Act, 1988 (Amendment 2018).

Learned counsel for the petitioner submits that
petitioner is in custody for last nine months. The investigation in
all respect is now complete.



Mr. Anjani Kumar learned Senior Counsel assisted by Ajay Mishra, learned counsel for the Vigilance submitted that huge amount of bribe money was seized by the Vigilance during the course of trap.

Learned counsel for the informant would submit that the petitioner does not deserve bail as he was holding responsible post and for performing his duty he has demanded Rs. Fifteen lacs and on his information the Vigilance conducted trap and from his possession Rs. 6,00,000/- was recovered.

Since the investigation is complete and the petitioner has remained in custody for nine months, the Court, in the peculiar facts of the case, would direct the petitioner to be released on bail. Let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,00,000/-(Ten lacs) with two sureties of the like amount each to the satisfaction of the Special Judge Vigilance-II, Patna in connection with Vigilance Case No. 49 of 2018, Special Case No. 23 of 2018, subject to the following conditions:-

1. The petitioner is required to deposit his passport,
2. He is required to appear before the Vigilance as and when required and at the same time he has to appear in the Court proceeding on each and every date. If he fails to attend



the Court without any cogent reason, the Court shall be at liberty to cancel his bail bonds.

With the aforesaid, the application stands disposed of.

(Anil Kumar Upadhyay, J)

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