

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48466 of 2019

Arising Out of PS. Case No.-92 Year-2019 Thana- RANIGANJ District- Araria

JAY SHANKAR PRASAD YADAV, aged about 52 years, Gender-Male, Son of Late Kamal Ram, Resident of Village - Aragi Amani, P.S. - Maharajganj, District - Azamgarh, U.P., At present address- Inspector of Police, Police Line, Araria.

... .. Petitioner

Versus

The State of Bihar through the Vigilance.

... .. Opposite Party

with

CRIMINAL MISCELLANEOUS No. 51381 of 2019

Arising Out of PS. Case No.-92 Year-2019 Thana- RANIGANJ District- Araria

PANKAJ KUMAR, aged about 32 years (Male), Son of Saryoog Prasad, Resident of Village - Barehata, P.S.- Giriyak, Dist.- Nalanda.

... .. Petitioner

Versus

1. The State of Bihar.
2. The Director of Vigilance, Bihar, Patna.

... .. Opposite Parties

Appearance :

(In CRIMINAL MISCELLANEOUS No. 48466 of 2019)

For the Petitioner : Mr. Rama Kant Sharma, Sr. Advocate, Mr. Dilip Kumar Roy and Mr. Hans Raj, Advocates.

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

(In CRIMINAL MISCELLANEOUS No. 51381 of 2019)

For the Petitioner : Mr. Sheo Kumar Prasad, Advocate.

For the State : Mr. Mukeshwar Dayal, A.P.P.

For the Vigilance : Mr. Sanjay Kumar, Advocate.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

- 3 04-12-2019 Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel for the opposite party no. 2.

The petitioners are apprehending their arrest in a case



for the offence registered under Sections 7(a) and (b) of Prevention of Corruption Amendment Act, 2018.

The prosecution story, in brief, is that on the basis of written report of the informant, namely, Rakesh Kumar Raman who is posted as Circle Inspector in the Raniganj Police Circle in which he has alleged that for the last few days, a video was being made viral in the locality in the Social Media in which three police officials of Raniganj Police Circle, namely, Jai Shankar Prasad Yadav, Police Inspector (petitioner), Manoj Kumar, A.S.I. and Pankaj Kumar, Constable (petitioner) have been shown as taking money from the people illegally, the viral video also shows that certain amounts have been written against the cases registered in different police stations. It is further alleged that on further visualization of the viral video, it is revealed that the above named accused persons have realized Rs. 18,000/- in Raniganj P.S. Case No. 46/2018, Rs. 10,000/- in Bhargama P.S. Case No. 313/2018, Rs. 8,000/- in Bhargama P.S. Case No. 279/2018, Rs. 16,000/- in Bhargama P.S. Case No. 307/2018, Rs. 14,000/- in Raniganj P.S. Case No. 416/2018, Rs. 13,000/- Raniganj P.S. Case No. 440/2018 and Rs. 15,000/- in Bausi P.S. Case No. 66/2018. Further allegation is that the aforesaid amounts were realized by the aforesaid accused



persons by adopting illegal and corrupt means and dispute arose among them over distribution of share.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The petitioners have been made accused in the present case as their faces have been figured in the video which was being made viral in the Social Media. Except for this, there is no private complaint made against the petitioners. Only evidence is that the video in which it was shown that the petitioners and other co-accused were collecting money from the local people. Except for this there is no substantive evidence to suggest the implication of the petitioners in the present case.

On behalf of the learned counsels for the State and opposite party no. 2, it has been submitted that the petitioners are named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances and the fact that there is no private complaint, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be



released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge-Vigilance-II, Patna, in connection with Special Case No. 05 of 2019, arising out of Raniganj (Araria) P.S. Case No. 92 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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