

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61531 of 2019

Arising Out of PS. Case No.-22 Year-2019 Thana- VIGILANCE District- Patna

Raju Kumar Sah Son of Shri Sita Ram Sah Resident of Village - Olipur
Sarhadia, P.S.- Runi Saidpur, Dist.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar through Addl. Director General of Police, Vigilance Deptt.,
Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh

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

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 27-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Vigilance
P.S. Case No. 22 of 2019 registered for the offence punishable
under Sections 7(a) of the P.C. Act.

Rs. 12,000 taken as a graft for registration of the
informant under the Bihar State Pharmacy Council is said to
have been recovered from the possession of the petitioner in the
trap led by the trap team.

It is submitted by learned counsel for the petitioner
that there is vital contradiction in the FIR, statement of the
informant recorded under Section 164 Cr.P.C. and recovery. As
per the FIR, petitioner demanded Rs. 5000/- while in the



statement recorded under Section 164 Cr.P.C. the informant has stated that he had given Rs. 7000/- to the petitioner as graft for the said purpose but, recovery from the possession of the petitioner is Rs. 12000/-, which creates serious doubt about the prosecution case. Petitioner has no criminal antecedent and has been languishing in custody since 5.06.2019.

On the other hand, learned counsel for the Vigilance opposing the bail prayer of the petitioner submitted that petitioner was apprehended red handed and graft of Rs. 12000/- has been recovered from his possession in trap, hence, the petitioner does not deserve bail.

Having regard to the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail, for the present. Accordingly, his prayer is rejected.

However, the petitioner shall be at liberty to renew his prayer for bail after framing of charge.

(Prakash Chandra Jaiswal, J)

rohit/-

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

