

Arising Out of PS. Case No.-25 Year-2019 Thana- VIGILANCE District- Patna

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... .. Petitioner

Versus

... .. Opposite Party

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate
For the Opposite Party/s : Mr. Anjani Kumar (L. O. Inc. Vig.)

For the Opposite Party/s : Mr.Anjani Kumar (L. O. Inc. Vig.)

2 04-12-2019 Heard learned counsel for the petitioner and
learned counsel representing opposite party.

Petitioner in the present case is seeking regular bail in connection with Special Case No. 27 of 2019 arising out of Vigilance P.S. Case No. 25 of 2019 registered for the offences punishable under Section 7(a)/12 of the PC Act, 1988 (Amendment 2018) along with Section 109/120B of the Indian Penal Code.

Learned counsel for the petitioner submits that from the post trap report it will appear that the cash was received by the co-accused Baleshwar Singh, the allegation against the petitioner is that he had asked the informant to meet said Baleshwar Singh for his work and when the informant met said



Baleshwar Singh, he was asked to pay a sum of Rs. 50,000/- as extraneous consideration to help in the survey of the land. So far this petitioner is concerned, he is said to be an Ujrat Bhogi Amin and it is the contention of learned counsel for the petitioner that vide Annexure '2' the Public Information Officer-cum-Assistant Settlement Officer, Head Office Nalanda has furnished information that Ujrat Bhogi Amin is not a government servant.

Learned counsel further submits that there being no demand from this petitioner, the petitioner having remained in custody for approximately six months at this stage he may be enlarged on bail.

On the other hand, learned counsel representing the opposite party submits that the cash received by co-accused Baleshwar Singh had been shared by him with this petitioner and as such in course of trap both Baleshwar Singh and this petitioner had been caught raid handed and the amount was recovered from the pocket of this petitioner.

Considering the facts and circumstances of the case, wherein this petitioner is said to be an Ujrat Bhogi Amin and is in custody since 22.06.2019 and the investigation against him is complete as charge-sheet has also been submitted by now and



there is no submission that release of the petitioner is likely to result in any hindrance in conduct of the trial and is otherwise likely to influence the witnesses, the petitioner being more than 60 years old, let on completion of six months of his custody on 22.12.2019 the petitioner above named be released on bail in connection with Special Case No. 27 of 2019 arising out of Vigilance P.S. Case No. 25 of 2019 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Vigilance, Patna, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

A further condition that the petitioner shall cooperate



in trial and shall not absent from the trial court on two consecutive dates.

(Rajeev Ranjan Prasad, J)

vats/ved

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