

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80948 of 2019

Arising Out of PS. Case No.-727 Year-2019 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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DINA NATH SINGH Son of Late Mathura Singh Resident of Village-Ampa
Pali, P.S.-Pirpanti, District-Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Vigilance Investigation Department, Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binod Murari Mishra
For the Opposite Party/s : Mr.Ram Sumiran Rai

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 18-12-2019 Heard learned counsel for the petitioner, learned

counsel for the State as well as learned counsel for the

Vigilance.

Petitioner, who is in custody, seeks bail in a case
registered for the offence punishable under Section 7(a) of the
P.C. Act

Allegation against petitioner and nine FIR named
accused persons is that they had taken bribe and had facilitated
the convict to flee away from police custody while he was being
treated in a hospital.

It has been submitted on behalf of petitioner that
petitioner is innocent and has been falsely implicated in this
case. It has been further submitted that the said convict had been



brought from the camp jail and the petitioner was posted as a constable at Hospital to guard the convicts brought from the central jail. Similarly placed co-accused, namely, Siya Ram Kunwar and Mahesh Paswan have been granted bail by a co-ordinate Bench of this Court vide order dated 13.12.2019 passed in Cr. Misc. No. 80350 of 2019 and vide order dated 17.12.2019 passed in Cr. Misc. No. 82075 of 2019 respectively. Petitioner has no criminal antecedent and is in custody since 20.08.2019.

Learned Counsel for the vigilance has vehemently opposed the prayer for grant of regular bail to the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned court below, in connection with Special Case Vigilance No. 4 of 2019 (arising out of Kotwali Barari) P.S. Case No. 727 of 2019 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and



sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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