

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19043 of 2020

Arising Out of PS. Case No.-332 Year-2019 Thana- BIKRAMGANJ District- Rohtas

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1. CHANDAN KUMAR (BHG 122685) Son of Sri Jitendra Paswan Resident of Mahuli, P.S. - Chenari, District - Rohtas.
 2. Prashant Kumar Mishra (BHG 122804) S/O- Umashankar Mishra R/O- Pitambherpur, PS - Shivsagar, Dist. - Rohtas.

... .. Petitioner/s

Versus

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

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-06-2020 This matter is taken up for consideration through Video Conferencing under the orders of Hon'ble the Chief Justice.

Heard learned counsel for the petitioners and learned A.P.P for the State.

The petitioners seek bail in **Bikramganj P.S. Case No. 332 of 2019 Special Case No. 29/19**, registered for the offence punishable under Sections 384/34 of the Indian Penal Code and section 7 of the Prevention of Corruption Act.

The informant alleged that on 2.7.2019 he saw a video clip on his mobile which was related with his P.S. in which, night patrolling party parked the government vehicle by the side



of road and one constable after stopping loaded truck, was taking money from the truck driver. The informant came to know that video clip is of 27.06.2019 and the same was uploaded by one Ranjan Singh Rajput (Journalist). Thereafter, the present FIR was lodged against the accused persons, who were on night patrolling duty on 27.06.2019.

It is submitted on behalf of the petitioners that petitioners have falsely been implicated in this case. There is no material which shows that the said video clip is of Bikramganj PS. Moreover, the informant could not identify the faces of the accused persons. The instant case is nothing but misuse of process of law. Petitioners are in custody since 25.02.2020 having clean antecedent.

Considering the aforesaid facts, the petitioners above-named, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned **Special Judge Vigilance, Patna** in connection with **Bikramganj P.S. Case No. 332 of 2019 Special Case No. 29/19** subject to following conditions:-

(i) The petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by



the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, their bail bonds shall be liable to be cancelled by the court below.

(ii) If the petitioners tamper 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 petitioners.

(Prabhat Kumar Singh, J)

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