

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)  
CRIMINAL MISCELLANEOUS No.19830 of 2020**

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

1. BALIRAM SINGH ( BHG 121561 ) Son of Sri Kumar Singh Resident of Nawagadh, P.S.- Nawadih (Indrapuri), District- Rohtas
2. Chandan Kumar (BHG 122642) Son of Ramashray Singh Resident of Shivobahar, P.S.- Dawath, District- Rohtas

... .. Petitioners

Versus

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

... .. Opposite Parties

**Appearance :**

|                          |   |                               |
|--------------------------|---|-------------------------------|
| For the Petitioner/s     | : | Mr.Anil Kumar Singh, Advocate |
| For the Opposite Party/s | : | Mr.Sanjay Kumar Pandey, APP   |
| For the O.P. NO. 2       | : | Mr. Arvind Kumar, Advocate    |

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD  
ORAL ORDER**

2      19-06-2020                      Heard learned counsel for the petitioners, learned counsel representing Vigilance Investigation Bureau and learned APP for the Sate.

The petitioners in the present case are seeking regular bail in connection with Bikramganj P.S. Case No. 332 of 2019 registered for the offences punishable under Sections 384/34 of the Penal Code and Section 7 of the Prevention of Corruption Act.

Learned counsel for the petitioners submits that a video clip was uploaded on the mobile of the informant who is the Officer-In-charge of Bikramganj Police Station. The said video clip shows that the patrolling party of Bikramganj Police was during the night hour stopping the truck and one of the Sepoy was going to the driver of the truck, talking to him and then was accepting some money. It



is, however, stated that in the video clip the face of the Sepoy was not clear. The informant has thereafter recorded the name of the members of the patrolling party who were deputed on the said date at the relevant time.

Learned counsel submits that it is evident from the FIR that the face of the Sepoy who was collecting money from the truck driver is not clear in the video clip and the petitioners have been made accused only on suspicion. It is submitted that the similarly situated co-accused Vijay Kumar Singh has been granted regular bail by a learned co-ordinate Bench of this Court vide order dated 16.01.2020 passed in Cr. Misc. No. 86746 of 2019. The petitioners have no criminal antecedent.

Learned counsel representing the Vigilance Bureau has opposed the prayer for bail of the petitioners as according to him the petitioners being the members of the Home Guard were involved in collection of undue amount from the truck driver.

Having regard to the facts and circumstances of the case wherein the FIR itself states that the face of the Sepoy who was going to the truck and taking some money is not clear in the video clip and further that the co-accused has been granted bail by a learned co-ordinate Bench of this Court, let the petitioner above named be released on bail in Special Case No. 29 of 2019 arising out of Bikramganj P.S. Case No. 332 of 2019 on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) each with two sureties of the



like amount each to the satisfaction learned Special Judge, Vigilance, Patna, subject to the conditions as laid down under Section 437(3) of the 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, or 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.

And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic during the lockdown period. The authorities concerned shall take appropriate steps to ensure such observance prior to and after release of the petitioner.

This application stands allowed.

**(Rajeev Ranjan Prasad, J)**

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

