

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30568 of 2020

Arising Out of PS. Case No.-403 Year-2020 Thana- DEHRI TOWN District- Rohtas

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Lalan Prasad aged about 53 years (Male) S/O Late Uday Nath Prasad
Resident of Village - Ghoradei, P.S. - Mufassil Ara, District. - Bhojpur.

... .. Petitioner

Versus

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

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr. Rama Kant Sharma, Sr. Advocate Mr. Hemant Kumar
For the State	:	Mr. Yogendra Kumar Singh, APP
For the Vigilance Deptt.	:	Mr. V.N.P. Singh, Sr. Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 23-11-2020 Heard learned counsel appearing on behalf of the

petitioner, learned counsel appearing on behalf of the State as

well as learned senior counsel for the Vigilance Department.

The petitioner is in custody in connection with Special
Case No. 08 of 2020 arising out of Dehri Nagar P.S. Case No.
403 of 2020 for the offence under Sections 384, 420, 411 and
120B of the Indian Penal Code and Sections 7 and 13 of the
Prevention of Corruption Act, 1988.

Mr. Rama Kant Sharma, learned senior counsel
appearing on behalf of the petitioner, submits that petitioner is
an A.S.I. and he has no criminal antecedent. Mr. Sharma
submits that in fact, no case under the provisions of the



Prevention of Corruption Act is maintainable against the petitioner. He further submits that from first information report it is evident that there is allegation of demand of illegal money against co-accused Dinesh Kumar Singh allowing the truck to cross Pali Check-post.

Learned senior counsel appearing on behalf of the petitioner would submit that the material available on record does not constitute an offence under the provisions of the PC Act against the petitioner. Petitioner is in custody since 10.06.2020.

Considering the totality of the facts mentioned above, the Court is inclined to grant bail to the petitioner. The petitioner, named above, is directed to be released on bail on furnishing bail bonds of Rs.50,000/- (Rupees fifty thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Vigilance, Patna in connection with Special Case No. 08 of 2020 arising out of Dehri Nagar P.S. Case No. 403 of 2020.

(Anil Kumar Upadhyay, J)

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