

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35025 of 2020

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

Rajendra Prasad Yadav @ Rajendra Yadav, Son of Late Raghav Yadav,
Resident of Village - Palsabuzurg, P.S. - Chandradeep, District- Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Deputy Superintendent of Police Vigilance Investigation Bureau, Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Man Mohan Kumar
For the Bihar	:	Mr.Amitesh Kumar
For the Vigilance	:	Mr.Rana Vikram Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-12-2020 Heard the parties through virtual court proceedings.

Since the physical court proceeding is non-functional, due to present pandemic, COVID-19, the matter is listed with defects.

Learned counsel for the petitioner undertakes to remove the defects as pointed out by the office within three weeks of normal functioning of the court, failing which the office is directed to place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Sections 384, 420, 411, 120B of the Indian Penal Code as well as Sections 7/13 of the Prevention of Corruption Act, 1988 and Section 8(1) of the Prevention of Corruption (Amendment) Act, 2018.



The prosecution case in brief is that on the basis of information received by the SHO, Dehri Town P.S. to the effect that the police officials are forcibly collecting money from the drivers of sand loaded trucks at Pali Check Post, the informant along with Block Welfare Officer, Dehri went there and came to know from the driver of Truck namely Survendra Kumar that the police officials have extorted bribe money Rs. 11,000/- under threats of seizing the truck and on search the said money was recovered from a drum filled with sand placed on the road for the purpose of police barricading. Further allegation is that the challan of the truck was examined and it was found that the truck was overloaded than what was mentioned in the challan.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. There is no recovery from the conscious possession of the petitioner. On the confessional statement of co-accused Saip constable No. 9453 Dinesh Kumar Singh and same has seized. The petitioner is in custody since 10.06.2020. The petitioner has got no criminal antecedent which is mentioned in para 3 of the bail application. The similarly situated co-accused have been granted bail by Co-ordinate Benches of this Court vide order dated 23.11.2020 passed in Cr. Misc. No. 30568/2020 and vide



order dated 24.11.2020 passed in Cr. Misc. No. 30609/2020.

Learned APP for the State opposes the prayer for bail petition.

In the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (rupees twenty five thousand) with two sureties of the like amount each in connection with Special Case No. 08/2020 arising out of Dehri (Town) P.S. Case No. 403/2020 to the satisfaction of the learned Special Judge, Vigilance, Patna.

(Anjani Kumar Sharan, J)

amitkumar/-

U		T	
---	--	---	--

