

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61268 of 2019

Arising Out of PS. Case No.-254 Year-2019 Thana- BEUR District- Patna

Pravesh Bharti @ Pravesh Kumar Bharti, S/o Sri Shiv Nandan Choudhary,
R/o village- Tetri, P.S.- Naugachhia, District- Bhagalpur, at present Officer
Incharge of Beur Police Station, Patna

... .. Petitioner/s

Versus

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

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate. Mr. Malay Kr. Choudahry, Advocate. Mr. Pravin Kr. Advocate.
For the Opposite Party/s :		Mr. Dilip Kumar, APP Mr. Amul Singh, Spl. P.P. (Vig.)

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 16-01-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner is accused in connection with Special
Case No. 32 of 2019 arising out of Beur P.S. Case No. 254 of
2019, registered under Sections 224 and 120(B) of the Indian
Penal Code and Sections 7, 13(1) and 13(2) of the Prevention of
Corruption Act.

The accusation is that informant, Samrat Deepak,
being the Officer-in-Charge of Naubatpur Police Station,
arrested Bittu Kumar and Pintu Kumar in connection with
Naubatpur P.S. Case No. 472 of 2019 instituted on 16.07.2019



for the offence punishable under Section 395 of the Indian Penal Code. Thereafter, in course of inquiry, he came to know that in the night of 15/16.07.2019 miscreants had looted coins loaded on a pickup van, in which, Sonu Kumar, Anand Choudhary, Bittu Kumar and Pintu Kumar were involved and after loot, they moved towards Patna via Masaurhi boarding in Indica car bearing registration no. BR01AS 9003 with 13 sacks of looted coins. When they reached at railway crossing at Sipara, the police patrolling party intercepted the vehicle and on search, they set free to Sonu Kumar after taking the money and at that time, ASI Vinod Kumar Rai, private driver Sonu Kumar, Home Guard Birendra Sharma, Krishna Murari Tiwary and Surendra Kuamr were present and rest Anand Kumar Choudhary, Pintu Kumar and Bittu Kumar were taken at Beur Police Station along with seized coins and vehicle. Thereafter, SHO of Beur Police Station Plravesb Bharti (petitioner) and S.I. Sunil Choudhary after taking bribe money from the brother of Anand Choudhary set free to all arrested persons without verification.

Learned counsel for the petitioner submits that it would appear from the FIR that there is allegation of taking bribe by petitioner and co-accused, Sunil Choudhary and set free to all accused persons and similarly situated co-accused,



Sunil Choudhary, has already been granted privilege of bail by a Bench of this Court vide order dated 27.11.2019 passed in Criminal Misc. No. 61294 of 2019. Further submission is that petitioner has no criminal antecedent and is in custody since 21.07.2019 and after investigation, police submitted the charge sheet and there is no chance of tempering the evidences by the petitioner.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Vigilance-I, Patna, in connection with Special Case No. 32 of 2019 arising out of Beur P.S. Case No. 254 of 2019. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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