

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 82140 of 2019

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

-
1. BALIRAM SINGH, Son of Kumar Singh, Resident of Village - Nawagadh, P.S.- Indrapuri, District - Rohtas.
 2. Prashant Kumar Mishra, Son of Umashankar Mishra, Resident of Village - Pitamberpur, P.S.- Shivsagar, District - Rohtas.
 3. Chandan Kumar, Son of Ramashray Singh, Resident of Village - Shivobahar, P.S.- Dawath, District - Rohtas.
 4. Chandan Kumar, Son of Jitendra Paswan, Resident of Village - Mahuli, P.S.- Chenari, District - Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Director General of Police Vigilance (Investigation) Bureau, Bihar, Patna Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajiv Nayan Singh
For the Opposite Party/s : Mr.Ashraf Ansari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-02-2020 Heard learned counsel for the petitioners, learned counsel for the Vigilance Mr. Arvind Kumar and learned APP for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 384 and 34 of the Indian Penal Code and Section 7 of the Prevention of Corruption Act.

Prosecution case is that as per the FIR, informant namely Pirya Ranjan, S.H.O. of the Bikramganj P.S. is that he



was checking the whats-app message on his service mobile and in that course found a video clip which was related with the video clip he found that the patrolling team of Bikramganj P.S. On viewing the said video clip he found that the patrolling vehicle was parked beside the road and truck was stopped near the said vehicle and one other truck was also stopped behind the first truck and one police constable went near the cabin of truck and after having some talks with the truck driver he raised his hand and received something, but due to darkness of night the face of the constable could not be identified. It is further alleged that he collected information regarding the said video and came to know that the said video clip was recorded in the night of 27.06.2019 by one reporter namely Ranjan Singh Rajput and he uploaded the same on the social site Whats-app and when the informant contacted the said reporter he confirmed this fact that he made the video and uploaded the same on the social networking site on 27.06.2019. The informant has further alleged that when he perused the record of the P.S. he found that in the night S.I. Tanik Kumar along with police force was on patrolling duty as per Entry No. 1148.

Learned counsel for the petitioners submits that the petitioners are quite innocent, committed no offence and have



been falsely implicated in this case. The petitioners were posted in the Bikramganj Police Station since long and they were discharging their duties as per the direction of their senior with utmost sincerity and honestly without any complaint from any quarter. The instant case is nothing but misuse of process of law because the informant without verifying or inquiring into the matter lodged the present case in haste just to save his own skin from the wrath of senior officers. It further submits that without any basis the so called video clip has been claimed to be related with Bikramganj Police Station although there was no such materials available before the court. One Ranjan Singh Rajput who claims to be a journalist has uploaded so-called video clip and taking his information as gospel truth the informant has lodged the FIR without verifying the claim of the journalist and without any evidence. The police has not recorded the statement of the said journalist and he has also not provided any evidence with regard to this fact that the recording was done in the night of 27.06.2019.

Learned counsel for the Vigilance submits that on perusal of the record it shows that petitioners are in the patrolling team. The petitioners are taking illegal gratification from the sand loaded trucks.



In the aforesaid facts and circumstances, I am not inclined to enlarge the petitioners on bail. Accordingly, the prayer for bail of the petitioners are rejected in connection with Special Case No. 29/2019 arising out of Bikramganj P.S. Case No. 332 of 2019 from the Court of learned Special Judge, Vigilance, Patna.

Accordingly, the application is dismissed.

(Anjani Kumar Sharan, J)

amitkumar/-

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

