

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21392 of 2021

Arising Out of PS. Case No.-21 Year-2020 Thana- C.B.I CASE District- Bhagalpur

RABINDRA KUMAR SON OF RANJIJAY NARAYAN R/O VILLAGE-SUNDARPUR, P.S.- PARAS BIGHA, DISTRICT- JEHANABAD, PRESENTLY WORKING AS CLERK, DISTRICT AGRICULTURE OFFICE, SHEIKHPURA, P.S. AND DISTRICT- SHEIKHPURA.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Singh
For the Opposite Party/s : Mr. Shailendra Kumar
Mr. Arvind Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 27-10-2021 Heard learned counsel for the petitioner, learned counsel for the Vigilance and learned APP for the State.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Section 7 (a) of the Prevention of Corruption Act.

In a vigilance trap, the petitioner is said to have caught accepting Rs.20,000/- as bribe and was arrested.



It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He is quite innocent and has been falsely implicated in this case due to office politics. The falsity of the entire allegation is itself evident from the fact that even according to the complaint of the informant, the occurrence had taken place on 16.10.2020 but, admittedly, the F.I.R. was lodged on 20.10.2020 and the same was presented before the Special Judge Vigilance (Trap), Bhagalpur on 22.10.2020 without giving any explanation for the said delay. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has no criminal antecedent and has been languishing in custody since 22.10.2020.

Learned counsel for the Vigilance opposed the bail petition submitting that the petitioner was arrested read handed by the Vigilance team.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Special Case No.09 of 2020, arising out of



Vigilance P.S. Case No.21/2020, subject to the following conditions :

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(5) The petitioner will mark his attendance in the local police station in first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(Anjani Kumar Sharan, J)

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