

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28463 of 2020

Arising Out of PS. Case No.-7 Year-2020 Thana- VIGILANCE District- Patna

Sanjay Kumar Singh (Male) aged about 44 years S/o Late Randhir Singh
Resident of Village-Sarna, P.S.-Shahpur, District-Bhojpur.

... .. Petitioner

Versus

The State of Bihar through the Vigilance Investigation Bureau.

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Jitendra Singh, Senior Advocate
		Mr. Tej Pratap Singh, Advocate
For the Vigilance	:	Mr. Rana Vikram Singh, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

7. 03-03-2021 Heard learned counsel for the petitioner, the Vigilance
and perused the records.

The petitioner seeks bail in Vigilance P.S. Case No. 7
of 2020 registered for the offence punishable under Section 7(a)
of the Prevention of Corruption Act.

It is alleged by the complainant that when she
submitted an application dated 4.2.2020 to the BDO, Shahpur
block, and met the petitioner (Mukhiya of the Panchayat) for
clearance of bill of Rs. 3,37,600/- (three lacs thirty seven
thousand six hundred) against drainage construction work, the
petitioner demanded Rs. 85,000/- (eighty five thousand) as bribe
for payment of the aforesaid bill amount. On that complaint, a
trap was arranged and petitioner was caught red-handed by the



trap team and Rs. 63,000/- (sixty three thousand) was recovered lying on a *Chowki* of the petitioner.

It is submitted on behalf of the petitioner that petitioner has been falsely implicated in this case and nothing has been recovered from his conscious possession. In fact, recovery has been made from the *Chowki* of the petitioner. It is further submitted that petitioner and his family have got long pending dispute between them and the informant's family and due to that reason, he has been falsely implicated in this case. It is further submitted that petitioner is in custody since 26.02.2020, having no criminal antecedent. Chargesheet has already been submitted and there is no material on record to substantiate that the petitioner is going to tamper with the evidence or abscond the process of law.

Learned counsel for the Vigilance has vehemently opposed the prayer for bail and submitted that the petitioner is powerful and can influence the witnesses, if he is released on bail.

However, considering the aforesaid facts & circumstances, the prayer for bail of petitioner is allowed. Let the petitioner, as named above, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the



like amount each to the satisfaction of learned Special Judge,
Vigilance, Patna in connection with Vigilance P.S. Case No. 7 of
2020, on the following conditions:-

“(1) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) The petitioner shall not leave the country without permission of the court below. If the petitioner has any passport, he shall surrender the same in the court below.”

(Prabhat Kumar Singh, J.)

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