

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4427 of 2021

Arising Out of PS. Case No.-6 Year-2020 Thana- VIGILANCE District- Patna

CHAKRADHARI PRATAP @ CHAKRADHARI PRASAD SON OF LATE
BASUDEO PRASAD Resident of Village - Kochra, P.S.- Khudaganj, Dist.-
Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar

For the Opposite Party/s : Mr. Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-03-2021 Heard learned counsel for the petitioner and learned
Special P.P. appearing on behalf of the Vigilance.

The petitioner seeks bail in Vigilance P.S. Case No.
06/2020 registered for the offences punishable under Sections
7(a) of the Prevention of Corruption Act.

As per the prosecution case, on a complaint lodged by
the complaint, namely, Chandan Kumar alleging therein that the
petitioner has demanded rupees ten thousand as bribe for
approval of payment of motor vehicle accident *ex gratia*
amount of Rs. 4,00,000/- as per the Government scheme, a trap
team was constituted and the petitioner was caught red-handed
while taking bribe of rupees ten thousand from the complainant
on road in front of the Block gate.



It is submitted on behalf of the petitioner that petitioner has been falsely implicated in this case and he is no more in service and has already been terminated from service wayback on 20.1.2018 as such there was no occasion for this petitioner to demand any bribe from the complainant. Chargesheet has already been submitted in this case. It is further submitted that the petitioner is in custody since 26.02.2020.

However, learned counsel appearing on behalf of the Vigilance vehemently opposed the bail application and submitted that petitioner was working as Legal Assistant in the aforesaid office and was caught red-handed while taking bribe of rupees ten thousand from the Complaint. As such, he is not entitled to grant bail.

Considering the aforesaid facts and circumstances and the fact that Chargesheet has already been submitted in this case and there is no allegation of tampering with the evidence, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned Spl. Judge, Vigilance (Trap Cases), Patna, in connection with Vigilance P.S. Case No. 06/2020 subject to following conditions:-



(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court on his absence on two consecutive dates without sufficient reason, his bail-bonds shall be cancelled by the Court below.

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

(Prabhat Kumar Singh, J)

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