

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40768 of 2020

Arising Out of PS. Case No.-14 Year-2020 Thana- VIGILANCE District- Patna

NIRAJ KUMAR NILESH SON OF LATE MAHESH PRASAD RESIDENT
OF VILLAGE - FATEHPUR, P.S. - BELCHHI, DISTRICT - PATNA,
BIHAR (803211)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Aaruni Singh
		Mr. Shambhu Singh,
For the Opposite Party/s :		Mr. Arvind Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 08-03-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 07.07.2020 in connection with Vigilance P.S. Case No. 14 of 2020 registered for the offences punishable under Sections 7(a) of the Prohibition of Corruption Act 1988 (Amendment) Act, 2018.

As per the prosecution case, a complaint case was lodged by the complainant and on 07.07.2020 accordingly a trap was constituted which conducted raid and caught the accused person red-handed while receiving tainted bribe money of rupees ten thousand.

It is submitted on behalf of the petitioner that petitioner has been falsely implicated in this case on the basis of vague



allegations. It is further submitted that at the relevant time, the petitioner was posted as Agriculture Convener who is a simple Inspecting Official and makes recommendation to the District Agricultural Officer after observing due physical inspection of the land following all procedures and as such he had already rejected the claim application concerning the Rabi crops of the Complainant/informant on 19.04.2020. Chargesheet has already been submitted in this case. Petitioner has got clean antecedent and he is in custody since 07.07.2020.

However, learned counsel for the Vigilance opposed the bail application and submitted that the petitioner has been caught red-handed with the bribe money and during the course of investigation independent witnesses have also supported the prosecution case.

Having regard to the submissions made by the parties and taking into consideration the materials available on records and the fact that petitioner has remained in custody since 07.07.2020, I am inclined to grant bail to this petitioner **after framing of charge**.

Accordingly, let the petitioner, above named, be released on bail **after framing of charge**, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of



the like amount to the satisfaction of learned Special Judge, Vigilance, Patna, in connection with Vigilance P.S. Case No. 14 of 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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