

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.5579 of 2021**

Arising Out of PS. Case No.-20 Year-2020 Thana- C.B.I CASE District- Muzaffarpur

LAL BABU PASWAN Son Mr. Ramchandra Paswan Resident of Village -
Madanpur, P.S. - Parsauni, Distict- Sitamarhi.

... .. Petitioner

Versus

THE STATE OF BIHAR THROUGH VIGILANCE

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Pravin Kumar, Advocate.
For the Vigilance : Mr. Arvind Kumar, Advocate

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

5 22-06-2021 Learned counsel for the petitioner undertakes to remove all the defects pointed out by the Stamp Reporter within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Arvind Kumar, learned counsel for the Vigilance.

The petitioner in the present case is seeking regular bail in connection with Vigilance P.S. Case No. 20 of 2020 registered for the offences punishable under Section 7(a) of Prevention of Corruption Act, 1988 (Amendment Act 2018).

Learned counsel for the petitioner submits that as per the prosecution story Mukhiya, Lal Babu Paswan demanded Rs. 80,000/- and Panchayat Secretary, Lal Babu Paswan demanded Rs. 40,000/- as bribe from Kapileshwar Prasad (Up Mukhiya).



Learned counsel submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner is in custody since 21.10.2020 having no criminal antecedent.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein the allegation against the petitioner is that of demanding illegal gratification and receiving of bribe money of Rs. 2 lacs, admittedly, the investigation against the petitioner is complete, he is in custody since 20.10.2020 which is for last eight months and the trial is not likely to be concluded in near future, there being no submission on behalf of the Vigilance that the release of the petitioner is in any way likely to result in tampering with evidence and interfering with the course of trial, this Court directs release of the petitioner above named on bail on furnishing of bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned Special Judge Vigilance, North Bihar, Muzaffarpur in connection with Vigilance P.S. Case No. 20 of 2020, subject to the conditions as laid down under Section 437(3) Cr.P.C. as under:

(a) That such person shall attend in accordance with the conditions of the bond executed under this Chapter,



(b) That such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which is suspected, and

(c) that such persons shall not directly or indirectly make and inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

