

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9860 of 2021

Arising Out of PS. Case No.-18 Year-2020 Thana- C.B.I CASE District- Muzaffarpur

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DHURI TIWARY SON OF LATE BALDEO TIWARY R/o village- Radhiya,
P.S.- Gobindganj, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar through S.P. Vigilance, Patna Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alok Kumar Sahi

For the Opposite Party/s : Mr.Arvind Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 12-07-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Vigilance (Patna) P.S.
Case No. 18 of 2020 (Special Case No. 18 of 2020), registered
for the offence punishable under Section 7(a) of the Prevention
of Corruption Act.

As per the prosecution case, petitioner is alleged to
have demanded Rs. 25,000/- for verification of papers from the
informant and was caught while taking the bribe.

It is submitted on behalf of petitioner that petitioner
retired from DRDA office on 30.09.2020 and after retirement
this false case has been lodged against him because he denied to
help the informant. Further submitted that petitioner is being
harassed by the Vigilance Officials for no fault. From the letter



dated 23.09.2020 written by the Sikander Sahani (informant) to the DM, East Champaran that few persons are demanding illegal money for release of fund under Prime Minister Housing Scheme which is part of FIR also and in the said letter, name of petitioner is not mentioned. Petitioner is in custody since 07.10.2020 having clean antecedent, as stated in para 3 of the petition. Chargesheet has already been submitted.

Counsel for the Vigilance vehemently opposed the prayer for bail and submitted that there is oral and documentary evidence is against the petitioner who demanded and accepted Rs. 25,000/- from the complainant and was caught while taking the bribe.

Considering the facts and circumstances, I am not inclined to enlarge the petitioner above-named on bail.

However, **once charge has been framed** and trial is commenced, the petitioner shall be released on bail by the learned trial court on its own satisfaction and on the condition that petitioner will cooperate in disposal of trial and appear before the court, as and when required.

(Prabhat Kumar Singh, J)

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