

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6827 of 2020

Arising Out of PS. Case No.-109 Year-2018 Thana- SARSI District- Purnia

MD. MASROOR ALAM KHAN Son of Md. Manzoor Khan Resident of Dangalpara, Niche Mohalla Dumka, P.S.- Dumka, District - Dumka (Jharkhand) - 814101.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR.
2. The Director Vigilance Department, Patna Bihar. Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ashutosh Jha, Adv.
For the State	:	Ms. Anita Kumari Singh, APP
For the Vigilance	:	Mr. Rana Vikram Singh, Spl. APP (Vigilance)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 01-02-2021 Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for the Vigilance.

Petitioner apprehends his arrest in a case registered under Section 7/13(i)(d) (I) (II) of Prevention and Corruption Act, 1988.

Informant is the police officer, who has alleged in his self statement that a news was made viral that some police officers posted at Sarsi Police Station had received some money from an unknown person for obliging him in a criminal case. It is further alleged that a C.D. was prepared from which it appears that the petitioner was taking some money from unknown person at his residence.



It has been submitted on behalf of petitioner that he is innocent and has been falsely implicated in this case. There is no evidence that petitioner was given money to get some favour in any case. Video is also stated to be more than 2 (two) years old. Identity of person who is alleged to be given money to petitioner as also the criminal case in which he sought favour from petitioner could not be ascertained. Petitioner has no criminal antecedent.

Considering the facts and circumstances of the case, prayer of anticipatory bail is allowed and petitioner named above in the event of arrest or surrender before the court below within four weeks from today, Petitioner is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Court Vigilance (Trap), Bhagalpur in connection with Sarsi P.S. Case No. 109 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.



(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

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

(S. Kumar, J)

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