

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2572 of 2022

Arising Out of PS. Case No.-45 Year-2021 Thana- VIGILANCE District- Patna

SHYAMAKANT PRASAD SON OF LATE SHIVJI PRASAD R/O
VILLAGE- SAKRAR BAZAR, P.S.- RAMGARHWA, MOTIHARI,
DISTRICT- EAST CHAMPARAN AT PRESENT KAMAL NATH NAGAR,
SAINT MICHAL SCHOOL GALI, P.S.- TOWN THANA BETTIAH,
DISTRICT- WEST CHAMPARAN.

... .. Petitioner.

Versus

1. The State of Bihar.
2. THE VIGILANCE BUREAU, STATE OF BIHAR, PATNA BIHAR

... .. Opposite Parties.

Appearance :

For the Petitioner	:	Mr. Sanjeev Kumar Singh, Advocate.
For the State	:	Mr. Lalan Kumar, A.P.P.
For the Vigilance	:	Mr. Arvind Kumar, Special P.P.

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

- 2 27-01-2022 The applicant/accused in Crime No.45 of 2021 registered with Police Station-Vigilance for the offence punishable under Section 7(a) of the Prevention of Corruption Act, 1988, by this application is seeking his release on bail after filing of the charge-sheet by the State on 24.12.2021.

The applicant is given out of turn hearing because he has undergone open heart surgery and is a cardiac patient, the position which is accepted even by the learned A.P.P.

Heard the parties.

The applicant was working as the Circle Officer and it is alleged by the complainant that for stopping the work of



demarcation of land of the vendor of the complainant, the applicant had demanded illegal gratification amounting to Rs.2,50,000/- from him. According to the prosecution case, the applicant was caught red handed with the illegal gratification amounting to Rs.2,50,000/- from his house.

The applicant is behind the bars from 02.11.2021. The investigation of the crime in question is over. The chargesheet has been filed. The applicant is a Government servant and as such there is no possibility of his non-availability for further trial. In this view of the matter, the following orders:

(i). The application is allowed.

(ii). The applicant/accused in Crime No.45 of 2021 registered with Police Station-Vigilance for the offence punishable under Section 7(a) of the Prevention of Corruption Act, 1988, be released on bail on executing P.R. bond of Rs.10000/-(Rupees Ten Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions:

(I). The applicant should not extend any threat, promise or inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any



police officer.

(II). The applicant should cooperate the trial in expeditious disposal of the trial against him.

(III). The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

P.S./-

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