

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5111 of 2022

Arising Out of PS. Case No.-6 Year-2020 Thana- VIGILANCE District- Patna

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SHASHI CHANDRA PRABHAKAR S/o Yamuna Paswan Resident of
Village- Rukunpura, P.S.- Ghosi, Dist- Jehanabad. At present Address- Bihari
Road, Hilsa, P.S.- Hilsa, Dist- Nalanda,- 801302,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sumit Shekhar Pandey

For the Opposite Party/s : Mr.Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

9 10-10-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Vigilance P.S. Case no. 06 of 2020 instituted for the
offence punishable under Section 7(a) of Prevention of
Corruption Act.

Prosecution case in nutshell is that complainant
namely Chandan Kumar alleging therein about demand of Rs.
10,000/- by the accused Chakradhari Prasad for approval of
payment of motor vehicle accident ex-gratia amount of Rs.
4,00000/- (four lac) as per the government scheme. It is further
alleged that after receipt of the complaint petition the matter was



entrusted to one constable Mohan Kumar Pandey to verify the allegation and submit his report and the same has been submitted after verification on 25.2.2020 finding the allegation true with assertion that the accused Chakradhari also made demand of bribe money of Rs. 10,000/- from the complainant in his presence. Accordingly a trap team was constituted and a pre-trap memorandum conducted and caught the accused red handed while receiving Rs. 10,000.0 as bribe from the complainant in front of the Block Gate on road and he was arrested on spot.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Petitioner is neither named in the FIR nor his named is mentioned in the complaint petition of the complainant. This petitioner has or had no any concern with accused Chakradhari Pratap and he even does not know him. He further submitted that in the entire complaint petition there is no whisper that either the petitioner met with the complainant or made demand of bribe from him. The petitioner has been made accused in this case merely on the basis of suspicion. The office of the petitioner was inspected in his absence and whatsoever application or file is alleged to have been recovered is not in his knowledge. The name of the petitioner has been mentioned in



the post trap memo with ill motive. Nothing specific has been attributed against the petitioner in the prosecution version. Nothing incriminating has been recovered from possession of the accused petitioner. So prayer has been made to admit the accused petitioner on pre-arrest bail.

Learned APP appearing for the State has opposed the prayer of bail and submitted that petitioner was known to accused Chakradhari Prasad, and during investigation he disclosed that petitioner has instructed him to cooperate in his alleged work. Petitioner had received application from the informant, but he had not produced that before the Circle Officer and he fraudulently put his own signature upon that application. He has kept the same in his office almirah and during investigation, he has stated before I.O. that the said application bears signature of Chakradhari Prasad.

Having heard learned counsel for the parties and taking into consideration that petitioner is involved in the alleged crime, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

(Sunil Kumar Panwar, J)

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