

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4733 of 2022

Arising Out of PS. Case No.-145 Year-2021 Thana- BACHHWARA District- Begusarai

MAHESH ROY SON OF RAM SUDIST ROY R/O VILLAGE- RANI-3,
WRD NO.-06, P.S.- BACHHWARA, DISTRICT- BEGUSARAI

... .. Petitioner/s

Versus

1. The State of Bihar
2. THE VIGILANCE DEPARTMENT, GOVERNMENT OF BIHAR BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 6273 of 2022

Arising Out of PS. Case No.-145 Year-2021 Thana- BACHHWARA District- Begusarai

RAM PRAKASH PASWAN SON OF RAM RASIK PASWAN REVENUE
KARAMCHARI, ANCHAL- BACHHWARA, R/O VILLAGE- NINGA, P.S.-
BARAUNI, DISTRICT- BEGUSARAI

... .. Petitioner/s

Versus

1. The State of Bihar
2. THE DIRECTOR OF VIGILANCE DEPARTMENT THE GOVERNMENT
OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 4733 of 2022)

For the Petitioner/s : Mr.Vasant Vikas

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

For the Vigilance Ms. Archana Palkar Khopde

(In CRIMINAL MISCELLANEOUS No. 6273 of 2022)

For the Petitioner/s : Mr.Braj Bhushan Poddar

Mr. Amrendra Kumar

For the Opposite Party/s : Mr.Narsingh Tanti

For the Vigilance Mrs Archana Palkar Khopde

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 23-08-2022 The learned counsel for the petitioners is directed to

remove all the defects pointed out by the Stamp Reporter within



one month.

Heard the learned counsel for the petitioners and learned Special P.P. for the Vigilance.

The petitioners apprehend their arrest for the offences alleged under Sections 7, 11, 13(1) and 13(2) of the Prevention of Corruption Act, 1988, registered in connection with Bachhwara P.S.Case No. 145 of 2021.

The informant is the Anchal Adhikari of Bachhwara. The petitioner Mahesh Roy is a Teacher, who is an applicant of mutation and he went in the office of Anchal Adhikari where petitioner Ram Prakash Paswan, who is Revenue Karamchari, was present in the C.O. office. A video became viral in which both the petitioners were talking for transaction of money in lieu of mutation in the name of petitioner Mahesh Roy. On the basis of that video, this case has been lodged.

The learned counsel for the petitioners has submitted that merely on the basis of video no case can be filed, unless the authenticity and genuineness of video is determined. The learned counsel for the petitioner Ram Prakash Paswan has submitted that he has lodged a case against the petitioner Mahesh Roy. He has submitted that he has falsely been



implicated at the behest of the petitioner Mahesh Roy.

On the other hand, learned Special P.P. for the Vigilance has submitted that the court below has himself seen the video and has mentioned in his order that petitioners were talking with each other about giving and taking money. She has submitted further that investigation is still continuing.

Considering the fact that investigation is still going on, I do not think it to be a fit case for anticipatory bail to the petitioners, which is hereby rejected.

Office shall ensure that all defects are removed by the petitioners within the stipulated time as provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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