

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23397 of 2022**

Arising Out of PS. Case No.-2 Year-2021 Thana- C.B.I CASE District- Bhagalpur

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KANHAIYA JI PERSONAL ADVISOR @ KANHAIYA KUMAR Son of
Arban Singh Resident of Village - Hajipur Tola, P.O.- Garhara, P.S.- Barauni,
Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar through the Vigilance. Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Chandra, Advocate

For the Opposite Party/s : Mr. Arvind Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 22-06-2022 Heard learned counsel for the petitioner and learned
counsel appearing for the Vigilance.

The petitioner has renewed his prayer for bail in connection with Special Vigilance Case no. 3 of 2021 (arising out of Vigilance Case no. 2 of 2021) registered under section 7(a) and (A) of the Prevention of Corruption Act.

It is submitted by learned counsel for the petitioner that the earlier application for bail of the petitioner was rejected vide order dated 21.1.2022 passed in Cr. Misc. no. 39551 of 2021 giving liberty to the petitioner to renew his prayer for bail after framing of charge. The petitioner is in custody since 23.1.2021 and undertakes to cooperate in the trial. Referring to Annexure-3 to the instant petition it is submitted that charge has been framed against the petitioner by the learned trial Court on 31.3.2022.

The application for bail is opposed by learned counsel appearing for the Vigilance.



Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner, the observation given in the earlier order of rejection dated 21.1.2022 (Annexure-1), charge having been framed vide Annexure-3 and the petitioner having remained in custody since 23.1.2021, the Court directs the petitioner to be enlarged on bail in connection with Special Vigilance Case no. 3 of 2021 (arising out of Vigilance Case no. 2 of 2021) on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned 3rd Additional Sessions Judge-cum-Special Vigilance Judge, Bhagalpur.

It is directed that the petitioner shall cooperate in the trial. In case the learned Trial Court is of the opinion that the trial is being delayed due to non-cooperation on part of the petitioner, the learned Trial Court may cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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