

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35399 of 2021

Arising Out of PS. Case No.-5 Year-2021 Thana- BADHAILA District- Rohtas

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KUNJAN PRASAD Son of Kanhiya Prasad Resident of village - Pakari
Kumhrar Toli, P.S. - Nawadah, District - Bhojpur (Arrah).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate
		Mr. Shivam, Advocate
For the State	:	Mrs. Indivar Kumari, APP
For the Vigilance	:	Mr. Anil Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 08-04-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in Baghela
(Sasaram) P.S. Case No. 05 of 2021 registered for the offences
punishable under Section 385 of the Indian Penal Code and
Section 13 of Prevention of Corruption Act, pending in the
Court of learned Special Judge Vigilance, Patna.

The allegation against the petitioner is that he
demanded Rs.20,000/- as bribe in lieu of release of his vehicle.

It is submitted by learned counsel for the petitioner
that no such occurrence as alleged ever took place. He has been
falsely implicated in this case due to previous grudge. The
informant has also admitted that Mining Department levied a



challan of Rs.19,000/- and he deposited the said amount in treasury and along with the receipt he came to the police station and deposited the same on 05.01.2021 and, thereafter, after unloading the sand, his tractor was released. Similarly other tractors were also released after the owners deposited the fine levied by the Mines Department. Petitioner has no criminal antecedent.

Learned counsel for the Vigilance and learned APP for the State vehemently opposing the bail petition submitted that there is sufficient material in the case diary against the petitioner, hence he does not deserve anticipatory bail.

Considering the facts and circumstances of case and particularly considering the criminal antecedents, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, the petitioner is directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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