

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28523 of 2022

Arising Out of PS. Case No.-7 Year-2022 Thana- VIGILANCE District- Patna

Umesh Prasad Singh Son of Late Ram Bachan Singh At present Resident of Village - S.I. Sarairanjan P.S., Distt.- Samastipur, Resident of Village - Indaur, P.s.- Itadhi, Distt.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar through Vigilance. Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate
	:	Ms. Vaishnavi Singh, Advocate
	:	Mr. Ritwik Thakur, Advocate.
For the Vigilance	:	Mr. Arvind Kumar, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 22-09-2022 Heard learned counsel for the petitioner and Mr. Arvind Kumar, learned counsel appearing for the Vigilance Department.

Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Petitioner seeks bail in a case registered for the offences punishable under Sections 7(a) of the Prevention of Corruption Act, 1988.

According to prosecution case, the Investigating Officer of the case is demanding Rs. 20,000/- as illegal gratification to send the report to the Court in connection with



release of vehicle Scorpio that was involved in an accident.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that as per allegation the petitioner has caught with the time of the taking bribe from the complainant. He further submits that the petitioner has no concern in the present trap cases and the present case is based on documentary evidence and almost all the witnesses are official witnesses and some independent witnesses also and there is no question of tampering the evidence in the present case and the prosecution after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 22.02.2022

The learned counsel for the Vigilance and learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Vigilance (Patna) P.S. Case No. 07 of 2022 (Special Case No. 06 of 2022),



subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Vanisha/ Ravi

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