

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34538 of 2022

Arising Out of PS. Case No.-76 Year-2022 Thana- MARANCHI District- Patna

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S. I. SHAHNAWAZ KHAN @ MD. SHAHNAWAZ KHAN @ SHAHNAWAZ KHAN S/o Late Md. Aslam Khan Resident of Village - Naina Ghat, P.S. - Sadar, District - Darbhanga At Present Resident of - Panch Mahala O.P., P.S.- Maranchi, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vigilance Investigation Bureau, Govt. of Bihar, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Chitranjan Singh, Senior Advocate Ms. Madhu Prasun, Advocate
For Vigilance	:	Mr. Rana Vikram Singh, Advocate
For the State	:	Mr. Sanjay Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

- 3 08-08-2022 Heard learned counsel appearing on behalf of the petitioner and learned counsel appearing on behalf of the State as well as learned counsel for the Vigilance.

Let the defect(s), if any, be removed within a period of four weeks from today.

The petitioner seeks bail in connection with Maranchi (Panchmahala O.P.) P.S. Case No. 76 of 2022 registered for the offence under Sections 384 and 120(B) of the IPC and Section 7, 8 and 12 of the Prevention of Corruption Act.

The accused/petitioner is named in the F.I.R. and is in custody since 21.05.2022.



The allegation against the petitioner is to collect bribe and other illegal fiscal benefit from trucks passing through highway, along with other co-accused person.

Learned senior counsel, Sri Chitranjan Sinha, appearing on behalf of the petitioner submitted that petitioner has falsely been implicated in the present case, further getting such strength as seizure list, does not bears signature of the petitioner. It is also submitted that from bare perusal of written complaint, it appears that petitioner was not in possession of any cash, where, allegation is very much general and omnibus, rather same is specific against the driver of the police gypsy, namely, Kundan Tanti @ Chandan. It is also submitted that petitioner is a man of clean antecedent. While concluding the argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned Special PP and APP, while opposing the prayer of bail, fairly conceded that allegation against this petitioner is very much general and omnibus, as per FIR.

Considering the facts and circumstances as mentioned above, as there is no specific allegation against this petitioner to collect the bribe from trucks coupled with the fact that charge-



sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Maranchi (Panchmahala O.P.) P.S. Case No. 76 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Vigilance, Patna/concerned Court, subject to the following conditions as mentioned in Section 437.

The presence of I/O concerned before this Court is dispensed with.

(Chandra Shekhar Jha, J)

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