

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35515 of 2022

Arising Out of PS. Case No.-15 Year-2022 Thana- VIGILANCE District- Patna

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Deepak Kumar Singh @ Deepak Kumar S/O- Ashok Kumar Singh Resident
of Village and Post- Basdila, P.S.- Jalalpur, District- Saran (Chapra)

... .. Petitioner/s

Versus

The Vigilance Investigation Bureau, Patna. Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Devendra Prasad Sinha, Sr. Advocate
For the Vigilance	:	Mr. Arvind Kumar

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 30-08-2022 Heard learned senior counsel appearing on behalf of
the petitioner and learned APP appearing on behalf of the State.

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

The petitioner seeks bail in connection with Vigilance
P.S. Case No. 15 of 2022 registered for the offence under
Section 7(a)(b) of the P.C. Act (as amended upto date).

The accused/petitioner is named in the F.I.R. and is in
custody since 01.04.2022.



The allegation against the petitioner is to accept bribe of Rs. 4,50,000/- (Rupees Four Lakh Fifty Thousand), being a constable, while posted as a police constable/munsi in M.T. section of Police Line, Patna.

Learned senior counsel appearing on behalf of the petitioner submitted that the case is classical for the reason that starting from lodging of the F.I.R. to completion of investigation, the entire process completed in a single day, reflecting thereby, only the biased approach of investigating agency, as allegation is founded over official differences. It is further submitted that petitioner is a constable and there is no occasion to work as a munsi. It is also submitted that the decision making authority was a committee consisting of SSP, Patna, Deputy SP, Police Line, SP, Rural and Deputy SP, Account, regarding clearance of bill, where no role is attributed to this petitioner. It is also submitted that no audio sample of the petitioner was collected during the course of investigation and, moreover, chargesheet has been submitted without obtaining the chemical report. While concluding the argument, it is submitted that petitioner has never faced allegation, as of present, in long 17 years of his service, having clean antecedent.

Learned counsel, Shri Arvind Kumar, appearing on



behalf of the Vigilance, while opposing the prayer of bail, submitted that refusal to give voice sample only suggesting involvement of petitioner but fairly conceded that chargesheet has been submitted without obtaining the chemical report.

In view of the facts and circumstances, as mentioned above, as chargesheet against this petitioner has been submitted without obtaining the chemical report coupled with the fact that petitioner is a man of clean antecedent, let the petitioner, above named, is directed to be released on bail in connection with Vigilance P.S. Case No. 15 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:

“(i) That accused/petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner, duly supported by the documents.



(ii) That one of the bailors shall be
Ajit Kumar Singh, who is the elder brother
of the petitioner and deponent of the present
bail petition.”

(Chandra Shekhar Jha, J)

Ankit/-

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