

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.37704 of 2022**

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

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Madan Kumar Son Of Late Mahadeo Sah, Resident Of Village- Bagraha, P.S.-  
Ghoghradiha, District- Madhubani

... .. Petitioner/s

Versus

The State Of Bihar through Vigilance Department, Patna (Bihar)

... .. Opposite Party/s

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**Appearance :**

|                          |   |                                      |
|--------------------------|---|--------------------------------------|
| For the Petitioner/s     | : | Mr. Raj Krishan Jha, Advocate        |
| For the Vigilance        | : | Mrs. Archana Palkar Khopde, Advocate |
| For the Opposite Party/s | : | Mrs. Gulnar Begum, APP               |

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**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

3      11-10-2022                      Let the defect(s), if any, be removed within two weeks  
from today.

Heard learned counsel for the petitioner and learned  
counsel for the Vigilance as well as learned A.P.P. for the State.

The petitioner seeks regular bail in connection with  
Special Case No. 39 of 2022 arising out of Maranchi P.S. Case  
No. 76 of 2022 lodged under Sections 384 and 120(B) of the  
Indian Penal Code and sections 7, 8 and 12 of the Prevention of  
Corruption Act.

As per prosecution, a video became viral on facebook  
showing police officials, constable and driver, who were seen  
extorting money from the different vehicles at the night. On the  
basis of said viral video, total 5 persons were identified and

F.I.R. has been lodged on the basis of same amount were also recovered from the possession of the some of the accused persons.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He further submits that from the search nothing was recovered from the possession of the petitioner. He further submits that petitioner's antecedent is clean and he is in custody since 02.06.2022 but in the order sheet of Sessions Court wrong date of custody has been mentioned as 22.05.2022, in this regard he has made explanation in paragraph no.6 of petition. Learned counsel further submits that no offence under the provision of I.P.C. or P.C. Act is made out against the present petitioner. He further submits that other co-accused from whom recovery not made but named in the F.I.R. has been granted bail by the Co-ordinate Bench of this Court vide order dated 08.08.2022 passed in Cr. Misc. No.34538 of 2022.

Learned counsel for the Vigilance vehemently opposes the prayer for bail.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of the case and

the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Vigilance, Patna in connection with Special Case No. 39 of 2022 arising out of Maranchi P.S. Case No. 76 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C..

With this observation, the bail application stands allowed.

**(Dr. Anshuman, J.)**

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