

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51372 of 2021

Arising Out of PS. Case No.-26 Year-2021 Thana- VIGILANCE District- Patna

Nitin Kumar Son of Shri Shambhu Sah Resident of Village - Fakhruddinpur,
P.S. - Tarwari, District - Siwan.

... .. Petitioner/s

Versus

The State Through Vigilance Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Ajay Kumar Thakur, Adv. Mr. Shivam, Adv.
For the Vigilance	:	Mr. Anjani Kumar, Sr. Adv. Mr. Arvind Kumar, Adv.
For the Informant	:	Ms. Archana Palkar Khopde, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4. 27-01-2022 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Vigilance (Patna) P.S. Case No. 26 of 2021 registered for the offence under Section 7(a) of the Prevention of Corruption Act, 1988.

As per the prosecution case, this petitioner was apprehended red-handed while taking bribe of Rs. 50,000/-.

Petitioner denies the allegation, as made out in the prosecution case, and submits that that he has been falsely implicated in this case.

It is submitted on behalf of petitioner that petitioner is in custody since 07.07.2021 and he is ready to abide by all the terms & conditions, as imposed by this Court, and will fully cooperate with the investigating agency during trial. Chargesheet has already been submitted.



However, learned senior counsel for the Vigilance Department opposed the bail petition and submitted that petitioner was apprehended while taking bribe of Rs. 50,000/-.

Considering the aforesaid facts and circumstances as well as the fact that investigation is complete and petitioner is ready to cooperate with the investigating agency, the bail petition of petitioner is allowed. Let the above named petitioner 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 learned Special Judge Vigilance, Muzaffarpur in connection with Vigilance (Patna) P.S. Case No. 26 of 2021 subject to conditions

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below /investigating agency and shall remain physically present, as directed by the court concerned, 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 would be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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