

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59776 of 2021

Arising Out of PS. Case No.-28 Year-2021 Thana- VIGILANCE District- Patna

Manoj Kumar @ Manoj Ranjan Chaudhary S/O Late Baidyanath Choudhary
R/o village- Maghaul, P.S.- Khodanwanpur, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar through Vigilance Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivam
For the O.P./Vigilance : Mr. Arvind Kumar

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

7 19-05-2022 Heard learned counsel for the petitioner and learned
counsel for the Vigilance.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in a case registered for the offences punishable under Sections 7(a)(c)/12 of Prevention of Corruption Act and Section 120(B) of the Indian Penal Code.

The petitioner was working as Nazir in the office of Land Acquisition Office. It is alleged by the prosecution that the petitioner processed the first payment of rupees five lacs towards compensation payable to the mother of the complainant. However, for balance payment, he was demanding an amount of rupees twenty five thousand from the complainant. According to



the prosecution case, the petitioner was caught red handed with tainted currency notes amounting to rupees twenty five thousand.

The learned counsel appearing on behalf of the petitioner submits that the petitioner is Nazir (Public Servant) and it appears from the F.I.R. itself that the amount of compensation had already been decided and it was only the payment which was being sought after the relevant documents to be furnished by the complainant. The petitioner has already transferred from the Land Acquisition Office, Begusarai and on the alleged date of occurrence he was posted in 'Mahabhilakhagar' Begusarai. The vigilance after investigations submitted the charge sheet against the petitioner and similarly situated co-accused namely, Ramchandra Prasad has been granted bail by a co-ordinate Bench of this Court vide order dated 10.02.2022 passed in Cr. Misc. No. 59217 of 2021. The petitioner is in custody since 17.07.2021.

The learned appearing for the Vigilance has vehemently opposed the prayer for bail of the petitioner and submitted that the petitioners has been caught red handed while accepting the bribe in the presence of two independent witness.

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 Special Vigilance Case No. 13 of 2021 arising out of Vigilance Case No. 28 of 2021, 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)

mdrashid/-

U		T	
---	--	---	--

