

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59740 of 2021

Arising Out of PS. Case No.-3 Year-2021 Thana- FATEHPUR District- Gaya

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Rajeev Kumar @ Rajiv Kumar Son of Sri Girijanandan Singh Resident of
Village - Pakari, P.S. - Fatehpur, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2, Advocate.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 12-04-2022 Learned counsel for the petitioner is permitted to

remove defect(s), as pointed out by the office, if any, within a

period of four weeks from today.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

The present application has been filed for grant of
regular bail to the petitioner, above named, who has been made
accused and put behind the bar in connection with Fatehpur P. S.
Case No. 03 of 2021 registered for the offences punishable
under Sections 420, 353 and 504 of the Indian Penal Code.

As per the prosecution case, it is alleged that the
prosecution case in brief is that the informant, Vijay Kumar,
Circle Officer, Fatehpur submitted a written report, alleging
therein that this petitioner has been making illegal and



concocted allegation regularly against him about taking illegal bribe of lacs of rupees from general public. It is further alleged that such type of information are printed or engraved by the petitioner against him in electronic record and publishing it on social media.

It has been submitted by the learned counsel for the petitioner that this petitioner had made a complaint against the informant about his corrupt working and misuse of power before the Sub Divisional Officer, Sadar, Gaya and Deputy Collector Land Reforms, Gaya and this F.I.R. has been instituted only for wreaking vengeance. It is next submitted that the complaints on being filed by this petitioner, the informant felt aggrieved and instituted the present case without any substantive material in support of his allegation. It is lastly submitted that this petitioner is in custody since 29.06.2021, though the investigation has been concluded and charge-sheet has already been submitted in the present case and even during the course of investigation nothing has come which suggest the complicity of this petitioner in the present case and moreover no case under Section 420 of the Indian Penal Code is made out.

On the other hand, learned APP for the State opposes the bail application of this petitioner and draws the



attention of this Court towards the antecedent of the petitioner as mentioned in paragraph No. 3 of this petition.

Having heard the submissions made on behalf of the parties and taking into consideration this fact that except the allegation, no substantive materials have been brought on record to substantiate the allegations, apart from the fact that the investigation has been concluded and the charge-sheet has already been submitted in the present case and this petitioner is in custody since 29.06.2021, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-X, Gaya in connection with Fatehpur P. S. Case No. 03 of 2021, subject to the condition that one of the bailors will be the close relative of the petitioner with further conditions which are as follows:-

- (i) The petitioner will cooperate in conclusion of the trial.
- (ii) He will remain present on each and every date of trial till disposal of the case.
- (iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of



trial.

- (iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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