

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69168 of 2021

Arising Out of PS. Case No.-734 Year-2021 Thana- SASARAM NAGAR District- Rohtas

Kabindra Kumar Son of Madheshwar Yadav Resident of Gardhari Bigha,
P.S.- Devkund, District- Aurangabad, at present Sasaram, District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Director, Vigilance, The State of Bihar, Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Y.C.Verma,Sr.Adv. Mr.Ram Jiban Pd. Singh,Adv.
For the State	:	Mrs.Nirmala Kumari,APP
For the Vigilance	:	Mrs. Archana Palkar Khopde, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 07-03-2022 Heard learned counsel for the parties.

The petitioner seeks bail in Sasaram Town P.S. Case No. 734 of 2021, registered for the offence under Section 384 / 34 of the Indian Penal Code, Sections 50 / 52 of the Bihar Prohibition and Excise Act and Sections 7 / 13 of P.C.Act.

Name of the petitioner transpired on the basis of confessional statement of co-accused Rajeev Kumar and Rajesh Kumar Pandey, who were apprehended by the police while taking bribe.

It is submitted on behalf of petitioner that at the time of raid, this petitioner was not present and no money has been recovered from the possession of this petitioner and only on the



basis of confessional statement of apprehended co-accused persons, the petitioner has been made accused. Petitioner is in custody since 17.09.2021. Investigation is complete.

However, learned counsel for the Vigilance Department opposed the bail petition and submitted that as per F.I.R. itself, initially, this petitioner alongwith other two co-accused had taken Rs. 1,00,000/- (one lac) from the informant and all the three distributed Rs. 26,000/- to each other and rest amount was paid to their spy.

In view of the fact that petitioner has already remained in custody since 17.09.2021 and investigation is complete, 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, Patna in connection with Special Case No. 37 of 2021, arising out of Sasaram (Town) P.S. Case No. 734 of 2021.

(Prabhat Kumar Singh, J)

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