

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9777 of 2023

Arising Out of PS. Case No.-14 Year-2022 Thana- VIGILANCE District- Patna

Md. Abdul Raquib Son Of Nuraul @ Noorul Hassan R/O Mohalla- H.N. No. D/2, Road No.2, Indirapuri, P.O.- B.V. College, P.S.- Shastrinagar, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Advocate
For the SVU : Mr. Rana Vikram Singh, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-05-2023 Learned counsel for the petitioner is permitted to add the Special Vigilance Unit as opposite party during course of the day.

Heard learned counsel for the petitioner and learned counsel appearing on behalf of Special Vigilance Unit.

Petitioner seeks bail, who is in custody since 19.10.2022, in connection with Special Case No. 68 of 2022 arising out of S.V.U. P.S. Case No. 14 of 2022, F.I.R. dated 18.10.2022 registered for the offences punishable under Sections 7 of the Prevention of Corruption Act, 1988.

Allegation against the petitioner is that he demanded bribe money of Rs. 2,00,000/- for signing the bill from the informant.

Learned counsel for the petitioner submits that the



petitioner carries two more cases other than the present one in which he is on bail and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has never demanded any bribe from the person. He further submits that the allegation as alleged in the F.I.R. that earlier the petitioner had demanded Rs. 2,00,000/- and thereafter he received only Rs. 50,000/- as a first installment but he was apprehended and Rs. 50,000/- was recovered from the bag in question not from the conscious possession of the petitioner. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 19.10.2022.

The learned Special Public Prosecutor for the Special Vigilance Unit has vehemently opposed the prayer for bail of the petitioner and submits that the recovered amount has been recovered from the possession of the petitioner and according to prescribed procedure the petitioner was arrested and remanded to judicial custody on 19.10.2022.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Vigilance, Patna in connection with Special Case No. 68 of 2022 arising out of S.V.U. P.S. Case No. 14 of



2022, 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 witness, 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 antecedents, 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)

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