

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11184 of 2023

Arising Out of PS. Case No.-48 Year-2022 Thana- VIGILANCE District- Patna

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NARESH PRASAD S/O LATE TETAR SAW Resident of Village- Ghat
Kusumbha, P.O.- Dih Kusumbha, P.S.- Korma, District- Sheikhpura.

... .. Petitioner/s

Versus

Department Of Vigilance, Patna Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjiv Sharan

For the Opposite Party/s : Mr.Arvind Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 03-04-2023 Heard learned counsel for the petitioner, learned law
Officer Vigilance and learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 7(a)(c)/12 of the P.C. Act and Section 120B of the Indian Penal Code.

As per prosecution case, allegation against the petitioner who was driver of the C.O. Khizarsarai, that at the behest of C.O., he demanded 20,000/- Rs. as bribe from the complainant.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case by the complainant. It is further submitted vide para 6, 7 & 8 of the petition that the petitioner was a private driver and worked with the C.O. till



5.9.2022 and when the complainant reached in the office with alleged bribe on 6.9.2022, the petitioner was not present there. The petitioner has no knowledge of the alleged offence and when he came to know about his involvement in this case, he has suo motto surrendered in the court below on 21.11.2022. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 21.11.2022.

Learned law Officer Vigilance and learned APP appearing for the state have opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Special Case No. 63 of 2022 arising out of Vigilance P.S. Case No. 48 of 2022 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, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and shall remain present physically before the court below



on each and every date till framing of the charges.

(ii) if the petitioner is found involved in the future in similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Sunil Kumar Panwar, J)

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