

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 18082 of 2022**

Arising Out of PS. Case No.-4 Year-2022 Thana- C.B.I CASE District- Muzaffarpur

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ATIULLAH NAT Son of Late Gena Nat Resident of Village - Jamalpur, P.s.-
Andar, Distt.- Siwan.

... .. Petitioner/s

Versus

Vigilance Investigation Bureau, Patna, Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : M/s Ansul, Anuj Kumar, Advocates

For the Opposite Party/s : Mr Arvind Kumar, Special PP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

6 08-02-2023 Heard learned counsel for the petitioner and learned
Special Public Prosecutor (for brevity, ***Special PP***) (Vigilance)
appearing for the State of Bihar.

The petitioner seeks bail in Special Case No 3 of 2022
arising out of Vigilance Police Station (for brevity, ***PS***) Case No 4 of
2022 registered for the offence punishable under Section 7 (a) of
Prevention of Corruption Act.

Petitioner is an Assistant Sub Inspector and it is alleged
that he has been caught red handed accepting bribe of Rs 1 lac.

Learned counsel for the petitioner submits that the
petitioner has been in custody since 25.01.2022, i e, more than a year
and till date even charges have not been framed. It is further
submitted that he is also having no antecedent. His plea is of false
implication so as to coerce him to compromise with his official duty
in favour of the allegationist.

The learned Special PP submits that it is a case of
petitioner being caught after following the entire procedure. He has
been arrested with the money which was handed over to him as
bribe.



Considering the circumstances as also undertaking given by the learned counsel appearing on behalf of the petitioner that the petitioner would be appearing physically on day-to-day basis at the trial and would fully cooperate, without in any way procrastinating the proceedings, this Court is inclined to allow the prayer for bail. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Special Judge (Vigilance), North Bihar, Muzaffarpur in Special Case No 3 of 2022 arising out of Vigilance PS Case No 4 of 2022 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

In case of non-compliance with the undertaking, the bail bonds would be liable to be cancelled.

(Madhuresh Prasad, J)

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