

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27116 of 2023**

Arising Out of PS. Case No.-5 Year-2023 Thana- VIGILANCE District- Patna

Rahul Kumar @ Rahul Kumar Paswan Son Of Late Bikaw Paswan R/O
Village- Beri, P.S.- Kusheshwar Asthan, District- Darbhanga

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate Mrs. Vaishnavi Singh, Advocate
For the Vigilance	:	Mr. Arvind Kumar, Advocate

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 23-05-2023 Heard Mr. Ajay Kumar Thakur, learned counsel for
the petitioner and Mr. Arvind Kumar, learned counsel for the
Vigilance Department.

Petitioner seeks bail, who is in custody since
01.02.2023 in connection with Vigilance P.S. Case No. 05 of
2023, F.I.R. dated 30.01.2023 for the offences punishable under
Sections 7(a), 7A of the Prevention of Corruption Act.

Allegation against the petitioner as per F.I.R. is that
the petitioner accepted the Rs.20,000/- as bribe from informant
namely, Bhogendra Narayan Choudhary.

Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that the



allegation against the petitioner as alleged in the F.I.R. is that he accepted the Rs.20,000/- as bribe from informant namely, Bhogendra Narayan Choudhary and he was caught hand by the Vigilance. He further submits that the Vigilance after investigation submitted the charge sheet against the petitioner and the petitioner is in judicial custody since 01.02.2023.

The learned counsel appearing for the Vigilance has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 the learned Special Judge Vigilance, North Bihar, Muzaffarpur in connection with Vigilance (Patna) P.S. Case No. 05 of 2023 (Special Case No. 03 of 2023), 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 witnesses, 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 antecedent, 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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