

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49432 of 2023

Arising Out of PS. Case No.-17 Year-2023 Thana- VIGILANCE District- Patna

Md. Shadab Ali Son Of Md. Sarfuddin Resident Of Village- Hafizpur Karmor,
Ps- Pandarak, Distt- Patna

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Vigilance Department, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh
For the Opposite Party/s : Mr. Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 18-09-2023 Heard learned counsel for the petitioner, learned
counsel for the vigilance and learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 7(a) of the Prevention of Corruption Act, 1988 (Amendment 2018).

3. As per prosecution case, the petitioner is alleged to have demanded Rs. 10,000/- as bribe for measurement of land of the complainant. The petitioner was caught red handed by the trap team from whose possession, currency notes of Rs. 20,000/- was recovered. Accordingly, the present case has been lodged against the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has



falsely been implicated in this case. It is also submitted vide para 13 of the petition that the complainant stated in his complaint that he has land bearing Khata NO.92/117, plot No. 533/552/574 but he suppressed the fact that above mentioned land Khata No. 92 Plot No. 533 & 552 do not belong to him rather the same belongs to Sanjeet Kumar, Sujeet Kumar and Satendra Prasad. Therefore, the question does not arise for measurement of dispute land as such allegation of demand of bribe money against the petitioner is false and concocted. He has got no criminal antecedent as stated in para-3 of the bail petition. It is further submitted that the petitioner is languishing in judicial custody since 19.4.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail **after framing of charge, if charge is not framed** in connection with Vigilance P.S. Case No. 017 of 2023 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, District-Patna.

(Sunil Kumar Panwar, J)

Amandeep/-

U		T	
---	--	---	--

