

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60049 of 2023

Arising Out of PS. Case No.-380 Year-2021 Thana- KOTWALI District- Munger

PRAMOD KUMAR Son of Late Yugal Bind R/o vill - Khalasi Mohanpur,
P.S. - Jamalpur, Distt. - Munger

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. The Inspector General, Vigilance Department, Bihar, Patna Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Manohar Prasad Singh, Adv.
For the Opposite Party/s	:	Mr.Ganesh Prasad Singh, APP
For the Vigilance	:	Mr. Anil Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

- 3 27-09-2023 Heard Mr. Manohar Prasad Singh, learned counsel

for the petitioner and Mr. Anil Kumar Singh, learned counsel

for the Vigilance as well as Mr. Ganesh Prasad Singh, learned

A.P.P. for the State.

The petitioner seek bail in connection with
Vigilance Case No. 17 of 2021 arising out of Kotwali P.S. Case
No. 380 of 2021 registered for the offence under Sections
7(1) and 13 of Prevention of Corruption Amendment Act,
2018.

The case relates to taking illegal gratification by
the government official for discharge of their official duty in
connivance of some other accused persons.



Learned counsel appearing for the petitioner submits that the petitioner, who is of clean antecedent, is innocent and has falsely been implicated in this case. He further submits that the allegation, as alleged in the F.I.R., is false and fabricated and the petitioner has not committed any offence. He further submits that on bare perusal of the F.I.R., it appears that nothing has been recovered from the conscious possession of the petitioner and the petitioner was not apprehended at the place of occurrence as alleged in the F.I.R. He further submits that the petitioner is not the employee of State Government and he has not taken any money from anyone nor he has been involved in any illegal transaction made by any of the government officials. He further submits that no case under Section 7 P.C. Act is made out against the petitioner. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 13.07.2023.

Learned counsel appearing for the Vigilance as well as learned A.P.P. for the State on the basis of material



available on record and the case diary vehemently opposed the prayer for bail of the petitioner and submits that it has come during course of investigation that the petitioner was acting as middle man and he was instrumental in illegal transaction made by the of the government officials for discharge of their duties.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned A.D.J.-V - cum- Special Judge, Vigilance, Bhagalpur in connection with Vigilance Case No. 17 of 2021 arising out of Kotwali (Munger) P.S. Case No. 380 of 2021 with 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 canceled by the Court below.

(2) If the petitioner tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty



to move for cancellation of bail.

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)

brajesh/-

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

