

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61491 of 2023

Arising Out of PS. Case No.-21 Year-2023 Thana- VIGILANCE District- Patna

Chandrajeet Prakash S/O Jay Prakash Mehta R/O Mohalla- Chausa Bazar,
P.S- Chausa, Distt.- Madhepura.

... .. Petitioner/s

Versus

1. The S.P., Vigilance Investigation Bureau, Bihar, Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vipin Kumar Singh
For the Opposite Party/s : Mr.Arvind Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-10-2023 Heard learned counsel for the petitioner 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 of the Prevention of Corruption Act, 1988.

3. As per prosecution case, the petitioner is alleged to have been caught red handed after completing per-trap and post-trap by the vigilance team. Thereafter, from possession of the petitioner Rs. 25,000/- cash was recovered which is said to be bribe money and the same was demanded by him from the informant for removal of the encroachment.

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 submitted vide para 8, 9 & 10 of the petition that the encroachment as complaint by the informant, was lawfully removed by the petitioner on 18.6.2023 passed in Encroachment Case No. 23/18-19. This raises serious doubt upon the story of the prosecution. The encroachment could not be removed earlier due to non-availability of police force. The petitioner vide letter no. 482 dt. 23.5.2023 required the C.O. Sitamarhi to fix the date for removal of the encroachment and thereafter completed it. It is further submitted that the alleged demand of money as bribe is false and fabricated and the petitioner has no concern with it. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition and he is languishing in judicial custody since 20.6.2023.

5. Learned APP appearing for the state has 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 of the petitioner, 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, it not framed**, in connection with Special Case No. 14 of 2023 arising out of



Vigilance P.S. Case No. 21 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, North Bihar, Muzaffarpur.

(Sunil Kumar Panwar, J)

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