

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73079 of 2022

Arising Out of PS. Case No.-48 Year-2022 Thana- VIGILANCE District- Patna

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BINOD CHOUDHARY @ BINOD KUMAR CHOUDHARY Son of Late
Chamari Choudhary R/V- Par nawada (Dobarpar) P.S- Nawada, Dist- Nawada
at present circle officer, Kinjarsarai, Dist- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Vigilance Investigation Bureau Vigilance Department, 6 Circular Road,
Patna Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Arbind Kumar, Adv.
For the Opposite Party/s	:	Mr.Shailendra Kumar, APP
For the Vigilance	:	Mr. Arvind Kumar, Adv.

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 27-03-2023 Heard learned counsel for the petitioner, learned
law Officer Vigilance as well as learned APP for the State.

In this case, the petitioner is seeking regular bail in
connection with Vigilance P.S. Case No. 48 of 2022, registered
for the offences punishable under Sections 7 (a), (c)/12 of the
P.C. Act, 1988 (Amended Act of 2018) and 120 (B) of the
Indian Penal Code.

As per allegation, the petitioner who is Circle
Officer rejected the mutation application of the complainant and
demanded Rs. 20,000/- as illegal gratification for delivering
order of mutation in his favor on mobile phone.

Learned senior counsel for the petitioner has
submitted that there is no similar case against the petitioner
except a case under Section 498 A of the IPC. He is under



custody since 08.09.2022. He is a government servant and there is no probability of his fleeing away or absconding.

On the other hand, learned Law Officer Vigilance as well as learned APP has opposed the prayer for bail.

Considering the above-mentioned facts and circumstances as well as the period of incarceration, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Special Judge Vigilance, Patna in connection with Vigilance P.S. Case No. 48 of 2022, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and shall remain present physically before the court below on each and every date till framing of the charges.

(ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

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