

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20750 of 2024

Arising Out of PS. Case No.-35 Year-2023 Thana- VIGILANCE District- Patna

Rajesh Kumar Son of Late Prayag Yadav Resident of Village- Ora Bagicha,
P.S.- Dharhara, District- Munger

... .. Petitioner/s

Versus

The Vigilance Investigation Bureau, Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Ranjan, Advocate

For the Opposite Party/s : Mr. Arvind Kumar, Spl. PP Vigilance

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-04-2024 Heard learned counsel for the petitioner and learned
Special Public Prosecutor for the Vigilance.

2. The petitioner seeks regular bail in connection with
Special Case No.29 of 2023, arising out of Vigilance P.S. Case
No. 35 of 2023, lodged on 22.11.2023, under Section 7(A) of
the P.C. Act.

3. As per the prosecution, the FIR has been lodged
against the petitioner. There is direct allegation against the
petitioner and bribe money has been recovered from his
possession and he was caught red handed.

4. Learned counsel for the petitioner submits that the
antecedent of the petitioner is clean. Counsel submits that
charge sheet has already been filed against the petitioner.



Counsel submits that petitioner is innocent and has committed no offence. Counsel submits that since charge has been framed, no purpose shall be served to keep the petitioner in custody.

5. Learned counsel for the Vigilance opposes the prayer for bail and submits that the petitioner being the enforcing agency of the police has committed such act and that aspect has to be taken into consideration.

6. Upon specific query of the Court, counsel for the petitioner submits that cognizance has already been taken and charge has been framed against the petitioner.

7. In this background that charge has already been framed no purpose shall be served keeping the petitioner into custody, let the petitioner, above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Vigilance, Patna, in connection with Special Case No.29 of 2023, arising out of Vigilance P.S. Case No.35 of 2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other following conditions:

(i) One of the bailor should be the family member of the petitioner who shall provide official document to show his



bona fide;

(ii) The petitioner shall appear on each and every date before the trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the trial court itself;

(iii) The petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) The petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the state shall be at liberty to take steps for cancellation of the bail bonds; and

(v) The petitioner shall desist from committing any criminal offence again, failing which the state shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J)

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