

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36707 of 2024

Arising Out of PS. Case No.-2 Year-2024 Thana- VIGILANCE District- Patna

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Arun Paswan @ Arun Kumar Paswan S/O PACHKAURI PASWAN R/O
Village Datuar, P.S. - Khajauli Dist- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. THE SUPERINTENDENT OF POLICE, SPECIAL UNIT, VIGILANCE
DEPARTMENT, BIHAR, PATNA BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Surya Kant Mishra, Adv.
For the Opposite Party/s	:	Mr. Ram Sevak Choudhary, APP
For the SVU/s	:	Mr. Rana Vikram Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 26-07-2024 Heard learned counsel for the petitioner, learned
A.P.P. for the State and counsel for the Special Vigilance Unit.

2. The petitioner seeks regular bail in connection with
Special Case No.03.2024 arising out of S.V.U. P.S. Case No. 02
of 2024 lodged under Sections 7 of the P.C. Act, 1988.

3. As per the prosecution case, the F.I.R. has been
lodged at the instance of complainant who has alleged demand
of money by the accused in which Special Vigilance Unit has
planned a trap and following the procedure, has arrested the
accused with Rs.14,000/- and thereafter arrested the petitioner.

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



that the case in which money has alleged to be made by the informant. The petitioner is not the I.O. of the said case rather the said I.O. was some other persons. He said that the demand of Rs.40,000/- has been made and alleged recovery is of Rs.14,000/- and not from the possession of the petitioner rather it was kept in the drawer of the office where the petitioner used to sit.

5. Counsel further submits that this case is basically implanted by the unknown enemy of the petitioner. He further submits that the petitioner is completely innocent and has nothing to do with the investigation of the present case.

6. Counsel also submits that the petitioner is a Government official and he is basically victim of this case and ready to fulfill all the conditions whatsoever shall be imposed upon him.

7. Counsel for the petitioner submits that petitioner is in custody since 05.03.2024 having clean antecedent.

8. Learned counsel for the State opposes the prayer for bail.

9. Learned counsel for the special vigilance unit on the other hand submits that the petitioner has committed the crime. Upon receiving the complaint, a preliminary



memorandum has been prepared. The identification has been made on the individual notes and verification has been made, the money has been handed over to the petitioner and he has kept the money in his drawer in presence of the informant and the person of the Vigilance unit subsequently trapped him and in the sodium carbonate, his finger has been shown red by which he put money in his drawer. He submits that prior to handing over the notes, the number of all notes were specifically identified which has already described in the F.I.R. itself. He further submits that pre-trap and post trap memorandum have also been prepared and in no case, the petitioner can say that he is not involved in the commission of the crime.

10. In the present facts and circumstances of this case and the submissions made above, this Court is not inclined to grant bail to the petitioner. Therefore, the bail application of the petitioner is hereby rejected.

(Dr. Anshuman, J.)

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