

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69047 of 2023

Arising Out of PS. Case No.-206 Year-2023 Thana- NAUGACHIA District- Bhagalpur

Sharwan Kumar Sharma @ Sharwan Kumar Son Of Suresh Prasad Sharma
Resident Of Village - Naya Tola Naugachhiya, P.S. - Naugachchiya, District –
Bhagalpur Petitioner/s

Versus

1. The State of Bihar
2. The Vigilance (TRAP), Bihar, Patna Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Sadanand Paswan
For the Opposite Party/s :	Mr.Aditya Narayan Singh.1
For the Mines Department	Mr. Anil Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 25-01-2024 Heard learned counsel for the petitioner, learned counsel
for the Vigilance and learned Additional Public Prosecutor for the
State.

2. The petitioner is apprehending his arrest in a case
registered for the offence punishable under Section 420 of the
Indian Penal Code and Section 7 of the Prevention of Corruption
Act.

3. Petitioner is said to have demanded Rs. 40,000/- from
the informant for the purpose of mutation.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has been falsely implicated in this
case. He submits that the petitioner is neither the employee of the
circle office nor he has any connection with the offices or
employee of the said office, hence, no offence under Section 7 of
the Prevention of Corruption Act is made out. He submits that



occurrence took place on 17.04.2023 but the FIR has been lodged on 19.06.2023 after delay of 62 days without explaining any reasonable cause of delay. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State and learned counsel for the Vigilance opposing the prayer for bail submit that the petitioner has been made accused in this case on the basis of Video clips. Learned counsel for the Vigilance further submits that the investigation is going on.

6. Considering the nature of offence, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Naugachhiya P.S. Case No. 206 of 2023.

7. However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be considered by the learned court below on the same day without being prejudiced by this order considering the fact that there is 62 days delay in lodging the FIR and he has no criminal antecedent.

(Anjani Kumar Sharan, J)

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