

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74976 of 2023

Arising Out of PS. Case No.-23 Year-2023 Thana- VIGILANCE District- Patna

Randhir Kumar Singh Son Of Bhagirath Prasad Singh Resident Of Mohalla -
Lovely Nagar, P.S. - Sabour, District - Bhagalpur, Bihar And Then Posted As
A S.H.O., Medani Chowki Police Station, District - Lakhisarai

... .. Petitioner/S

Versus

The State Of Bihar Through Special Vigilance Unit, Patna Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 85520 of 2023

Arising Out of PS. Case No.-23 Year-2023 Thana- VIGILANCE District- Patna

Kiran Kumar Son Of Vishundev Mandal R/O Kiul Basti, Pachana Raod, Ward
No. 22, P.S. - Kabaiya, Distt. - Lakhisarai, Bihar

... .. Petitioner/S

Versus

The State Of Bihar Through Special Vigilance Unit ,Patna Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 74976 of 2023)

For the Petitioner/s : Mr.Vikas Kumar Jha
: Mr. Mrigank Mauli, Sr. Adv.
For the State : Mr.Arvind Kumar
For the Vigilance : Mr. Rana Vikram Singh,

(In CRIMINAL MISCELLANEOUS No. 85520 of 2023)

For the Petitioner/s : Mr.Vikas Kumar Jha
For the State : Mr.Arvind Kumar
For the Vigilance : Mr. Rana Vikram Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 15-01-2024 Heard learned counsel for the petitioners and learned
counsel for the Vigilance.

2. The petitioners seek regular bail in connection with
Vigilance P.S. Case No. 23 of 2023 registered for the offence
under Sections 7(a), 7A, 12 of the Prevention of Corruption Act.



3. As per prosecution case, the petitioner no.1 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 no.1 Rs. 40,000/- cash was recovered which is said to be bribe money as demanded by him from the informant for removing encroachment on his land. Allegation against petitioner no.2 is that he counted the said money and gave to petitioner no.1.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. They have got no criminal antecedent. The petitioners have not demanded the bribe money which one broke was demanded the bribe money. It is further submitted vide para 11, 12 & 14 of the petition that no forensic or chemical analysis report of the solution of sodium carbonate has been submitted by the Investigating Officer. The so called independent witness Manoj Kumar is co-villager of the informant and he has been made witness in this case is not accidentally, it is all scripted before raiding over the Police station Medani Chowki. It is further submitted that the petitioners are languishing in judicial custody since 29.6.2023.

5. Learned APP appearing for the state and learned



counsel for the vigilance have 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, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail **after framing of charge, if not framed** in connection with Spl. Vigilance Case No. 12 of 2023 arising out of Vigilance P.S. Case No. 23 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge Vigilance-Cum-Additional Sessions Judge-V, Bhagalpur.

(Sunil Kumar Panwar, J)

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