

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3166 of 2024

Arising Out of PS. Case No.-24 Year-2020 Thana- BATH District- Bhagalpur

Jay Jay Ram Yadav, Son of Late Narayan Yadav, Resident of Village - Hiratol,
P.O. - Rahimpur, P.S. - Sahebpur Kamal, District - Begusarai, PIN - 851204

... .. Petitioner/s

Versus

The State of Bihar Through Vigilance Department, Govt. of Bihar, Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Jha, Adv.

For the Opposite Party/s : Mr. Arvind Kumar

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 19-01-2024 Heard learned counsel for the petitioner and learned
counsel for the Vigilance.

2. The petitioner seeks regular bail, who is in custody in connection with Special Vigilance Case No. 4 of 2020 arising out of Bath (Bhagalpur) P.S. Case No. 24 of 2020 registered for the offence punishable under Section 384 of the Indian Penal Code and Section 7(a) of the Prevention of Corruption Act, 1988 (As amended in 2018).

3. This is the third attempt whereby the petitioner is renewing his prayer for bail, as earlier his prayer for bail has been rejected twice by this Court vide orders dated 08.02.2023 and 17.05.2023 passed in Cr. Misc. No. 31720 of 2022 and Cr. Misc. No. 25416 of 2023 respectively, after taking into consideration the materials available on record. While negating



the prayer for bail of the petitioner, this Court had observed that the petitioner shall be at liberty to renew his prayer for bail after framing of charge.

4. It is submitted on behalf of the petitioner that on 24.11.2023, the charges have already been framed in this case, the copy of which has been brought on record by way of Annexures-6 and 7 to the bail application. It is further submitted that the petitioner has been incarcerated since 25.01.2022 and now the charges have already been framed. The petitioner undertakes that he will fully cooperate in the proceeding of the trial.

5. On the other hand, learned counsel for the Vigilance, opposes the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the charges have already been framed and the petitioner is a senior citizen having no criminal antecedent, coupled with the fact that the entire prosecution case is based on a documentary evidence, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-V-cum-Special Judge, Vigilance



(Trap) Act, Bhagalpur in connection with Special Vigilance Case No. 4 of 2020 arising out of Bath (Bhagalpur) P.S. Case No. 24 of 2020, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

- (i) The petitioner will cooperate in conclusion of the trial.
- (ii) He will remain present on each and every date of trial till disposal of the case.
- (iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.
- (iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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