

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76336 of 2024

Arising Out of PS. Case No.-185 Year-2024 Thana- CHHATAUNI District- East Champaran

Shivjee Paswan S/o Ramlal Paswan R/o Khatuaha, P.S. - Khanpur, Distt. -
Samastipur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prince Kumar Mishra, Advocate

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

For the Vigilance : Mr. Anil Singh, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

- 5 05-05-2025 1. Heard learned counsel for the petitioner, learned
APP for the State and learned Law Officer for the Vigilance.
2. The learned counsel for the petitioner apprehends
his arrest in connection with Chohatauni P. S. Case No.185 of
2024 (Special Case No.05 of 2024) for the offences punishable
under Sections 7(a) and 7(b) of the Prevention of Corruption
Act.
3. The allegations in the F.I.R is that some police
officers of Chhatauni Police Station had been made accused in
exchange of money in which the petitioner and two others have
been suspended on account of gross negligence and corruption
in duty.
4. The learned counsel for the petitioner submits that
the petitioner has been falsely implicated in the case. The name
of the petitioner has transpired only on the basis of suspicion.
Learned counsel for the petitioner further submits that



investigation in the case against the petitioner is still continuing, but then, the petitioner has not been granted the benefit of Section 41(A) of the Cr.P.C, on which the learned Law Officer, Vigilance submits that the case be disposed of in terms of the order dated 13-2-2024 passed in Criminal Miscellaneous No. 3536 of 2024 (Naushad Ansari vs. the State of Bihar) since the offence carries punishment of seven years and less. It is also pointed out that the application on behalf of similarly situated co-accused have also been disposed of in the same terms vide orders dated 10.02.2025 and 25.02.2025 passed in Cr. Misc. No. 63709 of 2024 and Cr. Misc. No. 70358 of 2024 respectively.

5. In view of the submission made by the learned Law Officer, Vigilance, the anticipatory bail application is disposed of in terms of the order dated 13-2-2024 passed in Criminal Miscellaneous No. 3536 of 2024 (Naushad Ansari vs. the State of Bihar).

6. The petitioner would be at liberty to file a representation before the concerned Superintendent of Police and the Investigating Officer of the case, within a period of three weeks from today and the concerned Superintendent of Police shall ensure that the Investigating Officer of the case strictly adheres to the directions contained in the order dated 13-



2-2024 passed in Criminal Miscellaneous No. 3536 of 2024
(Naushad Ansari vs. the State of Bihar).

(Soni Shrivastava, J)

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