

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Cr1.) No(s). 1568/2020

(Arising out of impugned final judgment and order dated 29-01-2020 in CRLMN No. 1092/2020 passed by the High Court Of Judicature At Patna)

ABHISHEK ANAND

Petitioner(s)

VERSUS

THE STATE OF BIHAR

Respondent(s)

(IA No. 31087/2020 - EXEMPTION FROM FILING O.T.)

Date : 18-03-2020 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHUSHAN
HON'BLE MR. JUSTICE S. ABDUL NAZEER

For Petitioner(s)

Ms. V. Mohana, Sr. Adv.
Mr. Shivam Goel, Adv.
Mr. Karan Jain, Adv.
Mr. Vishwa Pal Singh, AOR

For Respondent(s)

Mr. Gopal Singh, AOR
Mr. Manish Kumar, Adv.

UPON hearing the counsel the Court made the following

O R D E R

We have heard learned counsel for the parties.

This special leave petition has been filed against the judgment and order dated 29.01.2020 passed by the High Court by which Criminal Misc. No. 1092 of 2020 has been rejected.

The petitioner is an accused in a Spl. Case Vigilance No. 14/2019 under Section 7A of Prevention of Corruption Act.

Learned counsel for the petitioner submits that charge sheet has already been filed. The High Court by its impugned order rejected the bail application on 29.01.2020. The High Court, in

the last para, observed as under:

“ Considering the totality of the facts situation, the Court grants four months time from today to the Vigilance to conclude the proceeding, failing which the petitioner shall be entitled to release on bail by the Court below itself on furnishing bail bond of Rs.50,000/- with two sureties of the like amount.

With the aforesaid, the present application stands disposed of.”

Learned counsel for the petitioner submits that a complaint was filed by the complainant against Mukhia on 1st October, 2019, thereafter another complaint was filed in which the petitioner was arrested in a trap asking for a bribe of Rs.30,000/-

In the facts of the present case, the High Court itself was of the view that the petitioner be released on bail after four months from the date when the order was passed and the charge sheet has already been filed although charges have not yet been framed.

Considering the facts and circumstances of the present case, we are of the view that the petitioner be released on bail. The Trial Court may while releasing the petitioner on bail may put appropriate conditions for ensuring the presence of the petitioner.

The special leave petition stands disposed of.

Pending application stands disposed of.

(MEENAKSHI KOHLI)
AR-CUM-PS

(RENU KAPOOR)
COURT MASTER