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## Veerpal Vs State Of Uttarakhand

### First Bail Application No. 2481 Of 2023

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**Court:** Uttarakhand High Court

**Date of Decision:** Dec. 29, 2023

**Acts Referred:**

Prevention Of Corruption Act, 1988 (Amended Act, 2018) & Section 7

**Hon'ble Judges:** Ravindra Maithani, J

**Bench:** Single Bench

**Advocate:** Manokam Nautiyal, Manisha Rana Singh

**Final Decision:** Dismissed

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### Judgement

Ravindra Maithani, J

1. Applicant Veerpal is in judicial custody in FIR No.08 of 2023, under Section 7 of the Prevention of Corruption Act, 1988 (Amended Act, 2018),

Police Station Vigilance Sector, District Dehradun. He has sought his release on bail.

2. Heard learned counsel for the applicant and perused the record.

3. Dharamdas is an agriculturist. His crop had been damaged. He had applied for compensation. The applicant was Chakbandi Lekpal at the relevant

time. He was to submit a report, but he demanded Rs. 10,000/- for submitting the report. Dharamdas paid Rs. 2,500/-, but, thereafter, he lodged a

complaint with the Vigilance Department. On 27.10.2023, a trap was laid. The applicant received Rs. 7,500/- illegal gratification. He was caught red

handed. His hand wash turned pink.

4. Learned counsel for the applicant would submit that the applicant had already given his report on 12.10.2023; he had no occasion to demand any

money; on 12.10.2023, allegedly the report was given by Dharamdas to the Vigilance Department, and on the same date, an enquiry officer was

appointed and he verified the contents on the same date, which, according to learned counsel for the applicant, doubts the prosecution story.

5. It is also submitted by learned counsel for the applicant that the recorded transcript of the conversation does not reveal that any demand was ever

made. In fact, according to him, the transcript suggests as if Dharamdas was persuading the applicant to speak out something; there is no independent

witness; all the witnesses are the Vigilance Department personnel.

5. Learned State Counsel would submit that the applicant is a public servant; he demanded illegal gratification for discharge of his duty, and he was

caught red handed.

6. There is a recorded transcript of the conversation suggesting that a demand of Rs. 10,000/- was made. A document has been placed to suggest that

on 12.10.2023, a report was given by the applicant. This is what Dharamdas has stated. According to him, on 12.10.2023, the applicant had recorded

his report and kept the documents with him asking for more money. The money was given and it was recovered from the applicant. The post trap

memo records it. It also records that the colour of the hand wash did turn pink.

7. A public servant demanding bribe is a much serious offence, for such work, which he, otherwise, is under obligation to perform with the utmost

commitment and integrity.

8. Having considered, this Court is of the view that it is not a case fit for bail. Accordingly, the bail application deserves to be rejected.

9. The bail application is rejected.