IN THE HIGH COURT OF JHARKHAND AT RANCHI

B.A. No. 5120 of 2026

Nandan Kamar @ Abhishek Gupta, aged about 31 years, Son of Sri Mahendra Sah **… … Petitioner**

Versus

The State of Jharkhand through A.C.B (Vigilance).

… … Opposite Party

CORAM :HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

For the Petitioner : Mr. R.S. Mazumdar, Sr. Advocate
[Through Video Conference]
: Ms. Jasvindar Mazumdar, Advocate

For the Opp. Party-A.C.B: Mr. Vineet Kumar Vashistha, Advocate

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04/**17.07.2026**

1. Heard the learned counsel appearing on behalf of the parties.

2. Learned counsel for the petitioner submits that the petitioner is in custody since 19.03.2026 Vigilance Case no. 04 of 2026, arising out of Dumka A.C.B. Case No. 02 of 2026 registered under Sections 7(a) of the Prevention of Corruption (Amendment) Act, 2018, pending in the Court of learned Special Judge A.C.B.-cum-Additional District & Sessions Judge-I, Dumka.

3. Learned counsel for the petitioner has submitted the charge sheet has been submitted on 14.05.2026 and sanction of prosecution has not yet come. He has submitted that the petitioner was the Block Supply Officer and the allegation is that the petitioner was demanded Rs.50,000/- for the purpose of buying a motorcycle and Rs.40,000/- has been recovered.

4. Learned counsel appearing on behalf of the opposite party-A.C.B. has submitted that the petitioner was apprehended read handed with the bribe money after completing all the procedure and on 12.05.2026 the matter has been placed before the Secretary, Department of Food, Civil Supplies and Consumer Affairs, State of Jharkhand for grant of prosecution sanction. He has relied upon the judgment passed by Hon’ble Supreme Court reported in ***(2023) 1 SCC***

329 [Vijay Rajmohan vs. Central Bureau of Investigation (Anti-Corruption Branch)] and has referred to paragraph 27 of the said judgment to submit that wherein it has been provided under proviso 2 Section 19 of the Prevention of Corruption Act that three months' time given to the sanction authority for grant of sanction and if further legal consultation is required, there can be extended by a period of one month. He has also referred to paragraph 39 of the said judgment to submit that the period of three months, extended by one more month for legal consultation, is mandatory. The consequence of non-compliance with this mandatory requirement shall not be quashing of the criminal proceeding for that very reason. The competent authority shall be accountable for the delay and his absence will be subject to judicial review. He has also referred to paragraph 38 of the said judgment to submit that the remedy for the person aggrieved will be before the writ court.

5. After hearing the learned counsel for the parties and considering the fact that the petitioner being Block Supply Officer has been caught read handed with the bribe money amounting to Rs.40,000/- and the charge sheet having been submitted and the matter is placed before the sanction authority on 12.05.2026, this Court is not inclined to enlarge the petitioner on bail.

6. The instant bail application is hereby rejected.

7. Let a copy of this order be communicated to the court concerned through 'FAX/E-mail'.

(Anubha Rawat Choudhary, J.)

17.07.2026
Rakesh/-
Uploaded on:-20.07.2026