

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19053 of 2015

Arising Out of PS.Case No. -24 Year- 2015 Thana -C.B.I CASE District- PATNA

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1. Dr. Ashok Kumar Singh S/o Sri Ram Padharath Singh, Vill- Gouradih,
P.S.- Tarari, District- Bhajpur.

.... Petitioner/s

Versus

1. The State of Bihar Through The Vigilance

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Chandra

For the Opposite Party/s : Mr. Ramakant Sharma(L/O(I.C.Vig))

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 02-09-2015 Heard learned counsel for the petitioner and learned counsel
for the State.

The petitioner is languishing in custody since 25.03.2015 in
for the offences instituted under Sections 7/13(2) read with
Section 13(1)(d) of the Prevention of Corruption Act.

The prosecution story, in brief, is that when the petitioner
was posted as Civil Surgeon, Sasaram, pursuant to his transfer and
the petitioner joined there on 30.06.2014. Soon after assuming the
duty the petitioner learnt about the complaint lodged by Pramila
Devi, regarding illegal appointment of one Deepak Kumar (clerk)
on compassionate ground, due to death of his mother whose
appointment was based on false certificate. The petitioner vide
letter dated 29.12.2014 as contained in Memo No. 2339 had
informed the Principal Secretary of Health Department that the



then Civil Surgeon namely Ramji Singh had appointed Deepak Kumar illegally and suppressing the material facts from the higher authorities had confirmed his service. In response thereof the Regional Deputy Director, Health Services, Patna asked the petitioner to submit the detailed report regarding illegal appointment of Deepak Kumar made by Dr. Ramji Singh. The said letter reached the office of the petitioner on 18.03.2015 and it appears that Deepak Kumar also learnt about the same and apprehending serious action he planned to disturb/stop the enquiry very next day that is on 19.03.2015 he filed an application before the vigilance police alleging that the petitioner had informed that his appointment is illegal as such pay bribe of Rs. 100000/- failing which he will be removed from service. Nothing was recovered from the possession of the petitioner. The informant Deepak Kumar with the help of local people was pressurizing Bhagwan Singh for issuance of his appointment letter and on his refusal, he got him implicated in trap case registered as Vigilance P.S. Case No. 8/13. As such, it is apparent that the complainant used to implicate the officers in a trap case however try to make an inquiry of his illegal appointment. So it was prayed to enlarge the petitioner on bail.

It has been submitted on behalf of the petitioner that the

petitioner is in custody since 25.03.2015. Chargesheet has been submitted in the case. Petitioner has got no criminal antecedent. Petitioner is said to have been implicated due to mistake of fact. It is further submitted that the petitioner is ready to deposit an amount of Rs. 20,000/- in the Court below which may be subject to final disposal of the case.

On behalf of the Vigilance, it has been submitted that petitioner in a trap case has been made accused from whose possession rupees one lac is said to have been recovered.

Considering the aforesaid facts and circumstances, it is directed that the petitioner shall deposit an amount of rupees twenty thousand in the Court below which shall be subject to the final disposal of the case. let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Vigilance-1st, Patna in connection with Special Case No. 15/2015 arising out of Vigilance P.S. Case No. 24/2015

(Sudhir Singh, J)

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