

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25041 of 2016

Arising Out of PS.Case No. -35 Year- 2016 Thana -C.B.I CASE District- PATNA

1. Dharnidhar Rai son of Radha Krishan Rai, R/o Ambikanagar, P.S.-
Agamkuan, District- Patna, Permanent R/o Village- Amrupur, P.S.-
Bhawarkol, District- Gajipur (U.P.) Petitioner

Versus

1. The State of Bihar Through The Vigilance Department
.... Opposite Party

Appearance :

For the Petitioner : Mr. Krishna Kant Singh, Adv.

For the Opposite Party : Mr. Rama Kant Sharma (L.O,I/C Vigi)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

6 17-08-2016 Heard the learned counsel for the petitioner and the
counsel for the Vigilance.

The petitioner is in custody since 02.04.2016 in connection with Vigilance P.S. Case No. 35 of 2016 (Special Case No. 19 of 2016) registered for an offence under Sections 7 and 13(2) read with 13(i)(d) of the Prevention of Corruption Act, 1988.

The prosecution case in brief is that Taki Anwar, Technical Supervisor, Bihar Shiksha Prayojna Parishad in his complaint to the Superintendent of Police, Vigilance, stated that he is working as Technical Supervisor in Mokama Block for supervision work of the construction work of building under the Sarv Shiksha Abhiyan and he gets one per cent commission by the Government after completion of the work for which headmaster submitted bill for payment to the Junior Engineer, which is pending before the Junior Engineer, the present petitioner and the petitioner is demanding Representative sample.10,000/- for submission of the measurement book. The Superintendent of Police ordered for verification and a pre-trap memorandum was

prepared. A raid was conducted and the petitioner was apprehended with Rs.5,000/-.

Learned counsel for the petitioner submits that the petitioner is in custody since 02.04.2016. Charge sheet has been submitted in the case. There is no criminal antecedent against the petitioner. There is no allegation of tampering of witnesses alleged against the petitioner. It is, further, submitted that the petitioner is ready to deposit an amount of Rs.20,000/- in the Court below, which shall be subject of final disposal of the case.

On behalf of the Vigilance, it is submitted that the petitioner is named in the first information report.

Considering the aforesaid facts and circumstances, it is directed that the petitioner deposit an amount of Rs.20,000/- in the Court below, which shall be subject to the final disposal of the case and on doing so let the petitioner be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Vigilance P.S. Case No. 35 of 2016 (Special Case No. 19 of 2016) to the satisfaction of the Special Judge, Vigilance, I, Patna.

(Sudhir Singh, J)

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