

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46025 of 2016

Arising Out of PS.Case No. -70 Year- 2016 Thana -C.B.I CASE District- MUZAFFARPUR

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1. Vikash Kumar S/O Madan Mohan Bedua R/O village- Masadpur, P.S.-
Parsi, District- Arwal at Present Block Health Manager, Primary Health
Centre, Sadar Block Chapra, District- Saran (Chapra).

.... Petitioner/s

Versus

1. The State of Bihar, through Cabinet Vigilance Department

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sourendra Pandey

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

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

04/ 27.10.2016

Heard learned counsel for the petitioner as well as learned
counsel for the Vigilance.

Petitioner seeks bail in a case registered under sections 7,
13(2) read with section 13(1) (d) of the Prevention of Corruption Act.

Petitioner was working as health manager in the health
department and accusation against him is that he demanded Rs
20,000/- from the allegation maker to clear his old bills and
subsequently, a trap team was constituted and the petitioner was
caught taking Rs 10,000/- from the allegation maker.

Submission on behalf of the petitioner is that the allegation
maker claimed that he requested the petitioner to clear his dues for
running generator but, as a matter of fact, allegation maker has no
concern for running generator and the agreement for running generator
had taken place between the concerned department as well as Jal

Kalyan Samiti through Mamta Anand. It is further submitted that there is nothing on the record to show that the allegation maker had any nexus either with the aforesaid Jal Kalyan Samiti or Mamta Anand.

Learned counsel appearing for the Vigilance fairly concedes this fact that except oral statement of the witnesses, there is nothing on the record to show any link between the allegation maker as well as Jal Kalyan Samiti and Mamta Anand.

Petitioner in jail custody since 20.7.2016 and investigation against the petitioner appears to have already been completed.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Special Judge, Vigilance, North Bihar, Muzaffarpur in Vigilance P.S. Case no. 70/2016 arising out of Special case no.33/2016 subject to the condition that petitioner shall attend the learned trial court in person on each and every date till framing of the charge and if he fails to do so on two consecutive dates without any reasonable explanation, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner after due and proper enquiry.

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(Hemant Kumar Srivastava,J)

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