

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14114 of 2016

Arising Out of PS.Case No. -15 Year- 2013 Thana -C.B.I CASE District- MUZAFFARPUR

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Rajeev Kumar @ Rajeev @ Pramod Son of Surendra Pathak, R/o Village-
Bania, P.S.- Saraiya, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar through the C.B.I.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate.

For the Opposite Party/s : Mr. Sanjay Kumar, S.C. (C.B.I.).

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

6 18-07-2016

Heard both sides.

The petitioner apprehends his arrest in R.C. No. 15(A)/13, Special Case No. 10/13, registered under Sections 420 and 120B of the Indian Penal Code.

The informant alleged that one Somesh Mahto @ Sunil came to the informant's house and enquired about his mother and influenced her to withdraw her pension amount and also asked her for payment of 25% of the total amount as bribe. Learned counsel for the petitioner submits that admittedly the mobile, by which the informant was asked to pay bribe, belongs to the petitioner but the petitioner had lost that mobile but he did not report about missing of the mobile to the police. There is no evidence to show that the petitioner received any bribe either from the informant or anybody else.

On the other hand, learned A.P.P. has submitted that there is a Call Detail Report and conversation of the petitioner with one Somesh Mahto and the informant was recorded and it transpired that it was the petitioner who had a talk with the informant for payment of 25% of the total amount by way of bribe. Neither the petitioner nor Somesh Mahto is an employee of A.G. Office and they have impersonated themselves.

Considering the nature of allegation that the petitioner had called the informant on his mobile and asked for payment of bribe, I am not inclined to enlarge the petitioner on anticipatory bail in R.C. No. 15(A)/13, Special Case No. 10/13. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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