

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 48104 of 2016

Arising Out of PS.Case No. -81 Year- 2016 Thana -VIGILANCE District- PATNA

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Vidya Nand Kumar S/o Haldhar Prasad Yadav R/o Main Road Triveniganj,
P.S. Triveniganj Dist. Supaul A/P Prakhand Teacher, Upgraded Middle
School, Karmaniya P.S. Triveniganj, Dist- Supaul.

.... Petitioner

Versus

The State of Bihar through Vigilance.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sharma

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

Mr. Ravindra Kumar

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4 20-12-2016 Heard Sri Ajay Kumar Sharma, learned counsel for

the petitioner, Sri Rama Kant Sharma, learned senior law officer

for Vigilance assisted by Sri Ravindra Kumar, learned A.C. to Sri

Rama Kant Sharma.

The petitioner, who is in custody since 25-08-2016 in

Vigilance Case No. 81 of 2016 registered for offence under

Sections 7, 8, 13{2} read with 13{1}{d} of Prevention of

Corruption Act, 1988, has prayed for grant of bail.

Sri Sharma, learned counsel for the petitioner, while

pressing the bail petition, has taken the Court to number of

documents brought on record to show that the complainant was in

inimical term with the petitioner and petitioner has falsely been

implicated in the present case. Sri Sharma has also drawn my

attention to Annexure - 3 to the present petition to show that about

one month prior to present trap, the complainant of the present



case had filed another case against the petitioner and petitioner was already on police bail and thereafter, false trap was laid.

Learned senior counsel for the Vigilance, by way of referring to complaint verification report, pre-trap memo as well as post-trap memo, submits that it is a specific case that petitioner was acting as conduit of one of the Accountant namely Sunil Kumar and the petitioner was apprehended while accepting gratification amount i.e. Rs. 10,000/- (ten thousand). After recovery, the fingers of the petitioner were dipped in a glass and water turned red.

Keeping in view the fact that it is a case of trap and petitioner, being public servant, had accepted the bribe amount, which has also been recovered, there is no reason to extend the privilege of bail.

The prayer for bail is rejected.

While rejecting the prayer for bail, considering the fact that in a trap case only few witnesses are required to be examined, it is desirable to direct the Vigilance Investigation Bureau as well as learned Special Court to take all steps so that the case may come to its logical end without unnecessary delay.

(Rakesh Kumar, J.)

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