

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15610 of 2016

Arising Out of PS.Case No. -5 Year- 2016 Thana -C.B.I CASE District- MUZAFFARPUR

Sanjeev Kumar Son of Late Tarini Prasad Sinha resident of Mohalla - Kailashpuri, Ward No. 9, P.S. - Dumra, District - Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar through Vigilance (North Bihar) Muzaffarpur

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Soni Shrivastava

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

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

02/ 19.04.2016 Heard learned counsel for the petitioner as well as learned counsel for the Vigilance.

Petitioner is in jail custody since 12.1.2016 in a case registered under sections 7, 8, 13 (2) read with section 13 (1) (d) of the Prevention of Corruption Act on the accusation that he demanded bribe and Rs 10,000/- was recovered from his possession.

Petitioner was working as head clerk in the office of District Education officer, Motihari and he demanded Rs 20,000/- from the complainant for issuance of pay slip but subsequently, matter was settled at the cost of Rs 10,000/- and the complainant gave the aforesaid amount to peon at the direction of the petitioner and the said peon handed over the said amount to the petitioner which was recovered from his conscious possession.

The contention on behalf of the petitioner is that according to the prosecution case itself, so-called cash was accepted by the peon

and not the petitioner and it was the concerned peon who kept the cash on the table of the petitioner. Moreover, investigation against the petitioner has already been completed and there is no likelihood of tampering with the prosecution evidence and furthermore, prosecution agency does not want the presence of the petitioner for more interrogation.

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, Muzaffarpur in Special case no. 04/2016 arising out of Vigilance P.S. Case no. 05/2016.

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(Hemant Kumar Srivastava,J)

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