

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3100 of 2016

Arising Out of PS.Case No. -87 Year- 2015 Thana -C.B.I CASE District- PATNA

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1. Upendra Mani Tiwari son of Late Payhari Mani Tiwari, resident of village + P.O.- Belaw, P.S.- Darauli, District- Siwan, at present Halka Karamchari 10, Circle Bidupur, District- Vaishali

.... Petitioner/s

Versus

1. The State of Bihar through Vigilance Bureau

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anju Kumari @ Anju Narain

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

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 02-02-2016 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

According to prosecution case itself, the demand was made by co-accused, Vijay Kumar Mishra, who was Revenue Karmchari and admittedly, the complainant had given the amount of bribe to co-accused, Vijay Kumar Mishra and so far as petitioner is concerned; it is alleged that one Ashok Singh had given the amount to the petitioner.

Learned counsel for the petitioner submits that mere recovery of bribe amount is not sufficient to constitute an offence under Prevention of Corruption Act unless there is ingredient of demand and acceptance.

Considering the above-said facts and circumstances of

the case as well as submission of the parties, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Special Case No. 37 of 2015 arising out of Vigilance P.S. Case No. 87 of 2015 to the satisfaction of learned Special Judge, Vigilance, North Bihar, Muzaffarpur.

(Hemant Kumar Srivastava, J)

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