

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20309 of 2017

Arising Out of PS.Case No. -2 Year- 2017 Thana -C.B.I CASE District- PATNA

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Suresh Kumar, s/o late Lalchand Singh, r/v Gayatri Bhawan, Maurya Nagar,
Kako Road, District-Jehanabad.

.... Petitioner/s

Versus

The Central Bureau of Investigation

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mrigank Mauli, Adv.
Mr. Sanket, Adv.
Mr. Prince Kumar Mishra, Adv.
For the Opposite Party/s : Mr. Bipin Kumar Sinha, SC, CBI

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 22-06-2017 Heard learned counsel for the petitioner and learned
counsel for the CBI.

Petitioner is languishing in judicial custody since
28.02.2017 in connection with RC0232017A002, Special Case No.
01/2017 for offence alleged under Section 7 of Prevention of
Corruption Act, 1988.

The prosecution case, as alleged in the written complaint
of one Mukesh Kumar Mishra, is that the petitioner, who was posted
as senior clerk in BSNL, Gaya, asked for bribe of Rs. 1 lacs from the
complainant to clear the pensionary dues of his father and was
caught red handed accepting bribe of Rs. 25,000/-, which was kept in
his office table drawer.

It has been submitted by the learned counsel for the
petitioner that he is innocent. No other case of similar nature has



been lodged against him earlier and that he has no criminal antecedent. It has further been submitted that it is improbable that such transaction will happen in the official chamber and transcript of second recorded conversation has not been produced. He further submits that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence and being a government servant, there is no chance of absconding.

However, learned counsel for CBI submits that the petitioner was caught red-handed for accepting the said bribe and, hence, vehemently opposes the prayer for bail.

Considering the facts aforesaid and materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, CBI-III, Patna, in connection with RC0232017A002, Special Case No. 01/2017, subject to the condition that the petitioner will co-operate in trial and will remain present in the court on each and every date during trial and in the event of failure to appear on two consecutive dates without assigning any reason will be liable for cancellation of his bail bond.

(Nilu Agrawal, J.)

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