

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44719 of 2016

Arising Out of PS.Case No. -65 Year- 2016 Thana -VIGILANCE District- PATNA
=====

Vinit Kumar Sinha, S/o Surendra Kumar Sinha, resident of Village-
Sikandarpur Nayagaon, PS- East Colony, District-Munger

.... Petitioner/s

Versus

The State of Bihar through the Cabinet Vigilance Department, Govt. of
Bihar, Patna

.... Opposite Party/s
=====

with

Criminal Miscellaneous No.42625 of 2016

Arising Out of PS.Case No. -null Year- null Thana -null District- MUZAFFARPUR
=====

Satyendra Kumar Sahni, son of Late Dhanusdhari Sahni, resident of Sahni
Tola, Police Station- Rupauli, District- Purnea, At present- The Technical
Assistant D.R.D.A. Pupri Block, District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar through Vigilance

.... Opposite Party/s
=====

Appearance :

(In Cr.Misc. No.44719 of 2016)

For the Petitioner/s : Mr. Y. V. Giri- Sr. Advocate
Mr. Vikas Ratan Bharti -Advocate

For the Opposite Party/s : Mr. Sri Nirmal Kumar Sinha-A.P.P.

(In Cr.Misc. No.42625 of 2016)

For the Petitioner/s : Mr. Y. V. Giri- Sr. Advocate
Mr. Pramod Kumar Thakur -Advocate

For the Vigilance : Mr. Rama Kant Sharma-(L.O,I/C Vigi)
Mr. Rabindra Kumar-AC to L.O.,I/c Vig.

=====

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

08 15-02-2017 Heard learned counsel for the petitioners as well as

learned Additional Public Prosecutor along with learned counsel

for the Vigilance.



Both the petitions have arisen out of Vigilance P. S. Case No.65 of 2016, Special Case No.29 of 2016 on account of refusal by the learned lower Court to release the petitioners on bail. Instant case happens to be related with recovery of Rs.30,000/- from the possession of petitioner, Vinit Kumar Sinha as well as Rs.10,000/- from Satyendra Kumar Sahni, which they accepted in lieu of bribe exploiting their individual status being B.D.O. as well as Technical Assistant of the B.D.O. of Pupri Block, in a trap.

Contention on behalf of the petitioners are that they have fallen victim of local politics otherwise petitioner, Satyendra Kumar Sahni had got no involvement during course of releasing the salary of complainant, Ram Kailash Ram, a Jan-Sewak. In likewise manner, it has been submitted on behalf of petitioner Vinit Kumar Sinha that he had fallen victim of circumstance otherwise it happens to be beyond imagination that after receiving Rs.30,000/-, petitioner would have allowed himself to have the aforesaid amount in his hand till arrival of the Trap Team. Furthermore, it has also been submitted that both happens to be under custody since 03.07.2016.

Learned senior counsel representing Vigilance opposed the prayer and submitted that the improbabilities



whatever been raised at the end of the learned counsel for the petitioners is beyond consideration at the present moment. However, fairly concedes with regard to period of custody since 03.07.2016.

In the aforesaid facts and circumstances of the case, petitioners, **Vinit Kumar Sinha** and **Satyendra Kumar Sahni** are directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned XIth Additional Sessions Judge-cum-Special Judge, Vigilance, North Bihar, Muzaffarpur in connection with Special Case No.29 of 2016 arising out of Vigilance P. S. Case No.65 of 2016.

(Aditya Kumar Trivedi, J)

Vikash/-

U		T	
---	--	---	--

