

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39604 of 2017

Arising Out of PS.Case No. -35 Year- 2017 Thana -VIGILANCE District- PATNA

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1. Narayan Das Son of Late Rasbihari Das, R/o Village and P.O.-
Maheshpur, P.S.- Bhagwanpur, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar Through The Vigilance Department.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prakritita Sharma

For the Opposite Party/s : Mr. Sri Zainul Abedin

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 19-08-2017 Heard learned counsel for the petitioner and the State.

The petitioner seeks regular bail in Special Case
No.17/17 arising out of Vig. P.S. Case No.35/17 for the offence
under Sections 7, 13(2) and Section 13(1)(d) of the Prevention of
Corruption Act.

The allegation against the petitioner is that he being
Marketing Officer demanded bribe of Rs.25,000/- from the
complainant else he would transfer some user card to another
P.D.S. dealer. After bargaining the amount of gratification was
settled at Rs.10,000/- and the petitioner was caught red handed
taking the said gratification Rs.10,000/- from the complainant.

Learned counsel for the petitioner has submitted that the
petitioner neither demanded any gratification nor taken the same
from the complainant. He has further submitted that the petitioner



has been falsely implicated in this case as earlier the petitioner had filed a criminal case bearing SC/S T Case No.7/17 against Ram Babu Rai, leader of the P.D.S. dealers, and at his instance the present complaint has been filed by setting a plan. It is further submitted that there was no demand made by the petitioner at the time of taking money, Hence, no such offence against the petitioner is made out. It is further submitted that the finger of the petitioner was not turned pink while dipping in the Sodium Carbonate. He is in custody since 18.05.2017.

From perusal of the Post Trap Memorandum, it appears that no demand was made by the petitioner at the time of taking money.

Under the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the Special Judge Vigilance, North Bihar, Muzaffarpur, in Spl.Case No.17/17 arising out of Vigilance P.S. Case No.35/17.

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(Prakash Chandra Jaiswal, J)

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