

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41481 of 2017

Arising Out of PS.Case No. -39 Year- 2017 Thana -C.B.I CASE District- MUZAFFARPUR

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1. Dr. Surya Mohan Kumar son of Sri Deo Mandal @ Deo Mandal Sah
Resident of Village - Parsati, P.S. Ladania, District - Madhubani the Library
Assistant, Shiksha Shastra Department, Kameshwar Singh Darbhanga
Sanskrit University, Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar through the Vigilance, Muzaffarpur.
2. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate
For the State : Smt. Renuka Ratnakar
For the Vigilance : Mr. Kedar Singh, AC to Law Officer, Vigilance

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 19-09-2017 Heard learned counsel for the petitioner, learned APP

for the State and Sri Kedar Singh, learned Assistant Counsel for

the Vigilance.

Petitioner seeks bail in connection with Special Case
No. 21/17, arising out of Vigilance P.S. Case No. 39/17 for
offences punishable under Sections 7/13 (2) read with Section
13(1)(d) of the Prevention of Corruption Act, 1988.

The prosecution case, as lodged by the Vigilance, is that

the petitioner while being posted as Library Assistant in

Kameshwar Singh Darbhanga Sanskrit University, Darbhanga was



caught red-handed demanding bribe of Rs. 26,000/-.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history, he has been in service for a long time in the said University and no such allegation has ever been levelled against the petitioner during his service tenure. He further submits that charge-sheet has already been submitted, there is no allegation of tampering of the prosecution witnesses by the petitioner and he undertakes to cooperate in the trial. Petitioner is languishing in custody since 08.06.2017.

However, learned APP for the State and learned Assistant counsel for the Vigilance oppose the prayer for bail stating therein that the petitioner was caught red-handed while demanding bribe.

Considering the facts and circumstances and the materials on record and that charge-sheet has already been submitted, 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, Vigilance, North Bihar, Muzaffarpur, in connection with Special Case No. 21/17, arising out of Vigilance P.S. Case



No. 39/17, subject to the condition that both the bailors would be close relatives of the petitioner having sufficient immovable property, who will file an affidavit stating their relationship with the petitioner and that petitioner will appear before the learned Vigilance court during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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