

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60446 of 2017

Arising Out of PS.Case No. -94 Year- 2017 Thana -VIGILANCE District- PATNA

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1. Sangeeta Sinha W/o Sri Arvind Kumar Srivastava, R/v Flat No.-305, Shivam Heritage, Magistrate Colony, Ashiyana, P.S.- Digha, Distt.- Patna Permanent R/o village- Marar, P.S.- Parsa, Distt.- Saran (Chapra) Working as a Upper Division Clerk in the office of Additional Deputy Superintendent Cum Assistant Chief medical Officer, Communal Disease (Leprosy), District Leprosy Control Office Mahendru, P.S.- Sultanganj, Distt.- Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Vigilance Investigation Bureau, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha

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

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 19-12-2017 Heard learned counsel for the petitioner and learned
counsel appearing for the Vigilance Department.

Petitioner seeks bail in connection with Special
(Vigilance) Case No. 350 of 2017, arising out of Vigilance Case
No. 94 of 2017 for offences punishable under Sections 7/13(2)
read with Section 13(1)(d) of the Prevention to Corruption Act,
1988.

The prosecution case, as lodged by the Vigilance
Department on the complaint of one Sunil Gawashkar, who was
transferred from Fatuha to Patna, is that his pay slip was to be



made by the petitioner, who was working as Upper Division Clerk at District Leprosy Control Office, Mahendru, Patna, who demanded Rs. 15,000/- for preparing the pay slip. Accordingly, the vigilance team conducted raid and caught the petitioner red-handed.

It has been submitted by the learned counsel for the petitioner that she is innocent and has been falsely implicated in the aforesaid case. He submits that nothing has been recovered from the possession of the petitioner; rather the said money was found in the bag beneath the table and was implanted. He further submits that the petitioner is ready to cooperate in the investigation and provide all necessary papers and that she is languishing in judicial custody since 10.11.2017.

However, learned counsel appearing for the Vigilance Department opposes the prayer for bail stating therein that on a trap the petitioner was caught red-handed by the vigilance officials while taking bribe.

Considering the facts and circumstances and the materials on record and that the petitioner has undertaken to cooperate in investigation, 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-1 (Vigilance), Patna, in connection with Special (Vigilance) Case No. 350 of 2017, arising out of Vigilance Case No. 94 of 2017, subject to the conditions that:

- (1) Both the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating their relationship with the petitioner.
- (2) Petitioner will cooperate with the investigation and appear before the learned vigilance court below 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.
- (3) Petitioner will provide all necessary papers and cooperation as required by the vigilance court.

(Nilu Agrawal, J)

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