

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49591 of 2018

Arising Out of PS. Case No.-8 Year-2018 Thana- C.B.I CASE District- Patna

Narendra Kumar Sinha @ N. K. Sinha S/o Late Sharan Kumar Sinha, Branch Manager U.C.O. Bank, Kochadhaman Branch, District- Kishanganj, R/o Bari Yusufpur, East of Jagdamba Asthan, P.S.- Industrial Area Hajipur, District- Vaishali.

... .. Petitioner/s

Versus

The State Through C. B. I. Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Naresh Chandra Verma

For the Opposite Party/s : Mr. Bipin Kumar Sinha (SC,CBI)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

5 09-10-2018 Heard learned counsel for petitioner and learned counsel for the C.B.I.

Petitioner, who is in custody, seeks bail in connection with Special Case No. 38 of 2018 arising out of C.B.I. R.C. 08(A) of 2018 registered for the offences punishable under Section 120B of the Indian Penal Code and under Section 7 of the Prevention of Corruption Act.

A trap case was registered against petitioner on 05.06.2018 on written complaint of Md. Akhyar Zafar that bribe was being demanded from him for sanction of loan amount of Rs. 03 lacs (three lacs). The complaint was verified and was found to be true and thereafter a trap team was constituted by the C.B.I., A.C.B. Pre-trap formalities was drawn by the C.B.I.



team and 60 G.C. notes of Rs. 500/- each totalling Rs. 30,000/- were treated with phenolphthalein and were kept in the right trouser pocket of the complainant. All the conversation between the complainant and Assistant Manager Raju Kumar was being recorded and they were apprehended red handed, demanding and accepting the bribe from the complainant. The bribe money of Rs. 12,000/- was recovered from the pocket of Raju Kumar, Assistant Branch Manager and from the pocket of the pant of Md. Tausim, driver of petitioner Rs. 18,000/- was recovered. Complainant told that on instruction of Assistant Branch Manager Raju Kumar Rs. 30,000/- was handed over to a private person Md. Mohsin who bifurcated the same and handed over one part Rs. 12,000/- to Raju Kumar who accepted the bribe and kept it in his left pocket of the pant and thereafter Md. Mohsin handed over another part Rs. 18,000/- to Md. Tausim who was going to hand over the same to petitioner and in the meantime C.B.I. team apprehended him with the bribe money. The demand and acceptance of bribe money was verified by washing fingers of Raju Kumar (Assistant Manager), Md. Mohsin and Md. Tausim (driver of petitioner) in milky solution of sodium carbonate which turned into pink colour

In view of the fact that petitioner was arrested by



the C.B.I. team red-handed accepting bribe of Rs. 18,000/- from the complainant to sanction loan of Rs. 03 lacs (three lacs) under PMEGP, I am not inclined to enlarge the petitioner on bail at this stage. Hence, the prayer for bail of the petitioner is hereby rejected.

However, after completion of one year in jail custody, petitioner is granted liberty to renew his prayer for the bail.

(S. Kumar, J.)

Rajiv/Manoj-

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