

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27153 of 2018

Arising Out of PS.Case No. -5 Year- 2018 Thana -C.B.I CASE District- MUZAFFARPUR

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Prafulla Kumar Jha, Son of Late Indradeo Jha Resident of Village-Mehath,
P.S.-Bhairo Asthan, District-Madhubani.

.... Petitioner/s

Versus

The State of Bihar Through Vigilance, Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Babita Kumari

For the Opposite Party/s : Mr. Rama Kant Sharma(L.O, I/C Vig.)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 18-05-2018 Heard the learned counsel for the petitioner as
well as the learned counsel for the Vigilance.

In this application the petitioner seeks bail in
connection with Vigilance P.S. Case No. 05 of 2018 for the
offences punishable under sections 7/13 (2) read with section 13
(1) (d) of the Prevention of Corruption Act, 1988.

Allegedly, the petitioner being the Subdivisional
Agriculture Officer, Benipur, Darbhanga demanded bribe of
Rs.15,000/- from the informant to pay his dues amount of
Rs.70,000/- and thereafter during raid the petitioner was caught
red handed taking the bribe of Rs.13,500/-.

Submission is of false implication and that there
was no dues of the informant, he has been paid all the amount
prior to lodging of the complaint, he has been made victim of the



circumstances, he has got no criminal antecedent and is suffering in custody since 24.02.2018, charge sheet has already been submitted and as such there is no chance of tampering with the prosecution evidence.

The learned counsel for the Vigilance opposes prayer for bail of the petitioner.

In the facts and circumstances stated above, considering that charge sheet has already been submitted, the petitioner has got no criminal antecedent and further considering his custody, now he is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Vigilance, North Bihar Muzaffarpur in connection with the aforementioned case, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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