

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.3802 of 2019**

Arising Out of PS. Case No.-20 Year-2018 Thana- C.B.I CASE District- Patna

Malay Kumar Das (M) aged about 57 years, S/O late M.M. Das Resident of  
Quarter no.RH 6/6A Russian Hostel,IOCL, Barauni Refinery, P.S- Barauni

... .. Petitioner/s

Versus

The State of Bihar through Central Bureau of Invetigation, Patna

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Shashank Chandra  
For the Opposite Party/s : Mr.Bipin Kumar Sinha

**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL ORDER**

5      25-02-2019                      Heard learned counsel for the parties.

Petitioner seeks bail in **Case No. RC 20 (A) of 2018-PAT, Spl. Case No. 03 of 2018**, registered for the offence punishable under Section 7 of the Prevention of Corruption Act, 1988.

Informant has alleged in his written complaint that petitioner who is an Officer (Administration and welfare) had demanded bribe for verification and payments of his Bills. It has been further alleged that petitioner used to talk with his official phone and demanded bribe of Rs. 20,000/- which was recorded. The complaint was verified and found to be true and petitioner was apprehended with bribe money kept in his drawer.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case.



Complainant is not the owner of the vehicle. The allegation of demanding bribe is false and concocted. Petitioner has got no criminal antecedent and is in custody since 15.12.2018. C.B.I has submitted charge-sheet.

Considering the nature of allegation, 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, it is observed that the petitioner named above be released on bail **after framing of charge by the court below** upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Special Judge, CBI-III, Patna**, in connection with **Case No. RC 20 (A) of 2018-PAT, Spl. Case No. 03 of 2018**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates



without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

**(S. Kumar, J)**

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