

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57896 of 2019

Arising Out of PS. Case No.-19 Year-2019 Thana- C.B.I CASE District- Muzaffarpur

Saroj Kumar, Son of Late Chandeshwar Rai, Resident of Village- Jhauva,
P.S.- Avatar Nagar, Dist.- Saran (Chhapra).

... .. Petitioner/s

Versus

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

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Awadhesh Kumar
For the Opposite Party/s	:	Mr.Satya Nand Shukla
For the Vigilance	:	Mr. Anjani Kumar, (L.O. Inc Vig.)
		Mr. Sanjay Prasad, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 30-09-2019 Heard learned counsel for the petitioner and State.

The petitioner is in custody in connection with Special Case No. 14 of 2019, arising out of Vigilance Case No. 19 of 2019, for the offence under Sections 7(a)/12 of the Prevention of Corruption Act, 1988 and Section 120B of the Indian Penal Code.

At the relevant time, the petitioner was working as Correspondence Clerk in the office of Electricity Supply Division, Telpa, District Saran.

Learned counsel for the petitioner submits that the petitioner has got no criminal antecedent and he is in custody since 08.05.2019. He further submits that the demand was made



by the Junior Engineer and Executive Engineer and this petitioner was a Correspondence Clerk and during trap Rs.45,000/-, which was demanded by the Executive Engineer, was recovered from the possession of the petitioner. He also submits that at the best allegation against the petitioner is that he was aid and associate of the Junior Engineer and Executive Engineer in the commission of crime. The Junior Engineer, namely, Jai Nandan Kumar, who was arrested with money of bribe amounting to Rs.20,000/-, has already been granted bail vide order dated 17.08.2019 in Cr. Misc. No. 50739 of 2019. He further submits that the police has completed investigation and charge-sheet has already been submitted in this case.

Considering the fact that the case of the petitioner is on better footing than the Junior Engineer, as there is no allegation of demand of bribe by this petitioner, though Rs. 45,000/- was recovered from his possession and also the fact that charge-sheet has been submitted in this case, the petitioner, named above, is directed to be released on bail on furnishing bail bonds of Rs.50,000/- (Rupees fifty thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Vigilance, North Bihar, Muzaffarpur in connection with Special Case No. 14 of 2019, arising out of Vigilance Case No.



19 of 2019 subject to the condition that the bailors should be the
Government servant.

(Anil Kumar Upadhyay, J)

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