

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18599 of 2020

Arising Out of PS. Case No.-49 Year-2019 Thana- VIGILANCE District- Patna

VIKASH KUMAR SINHA @ VIKASH KUMAR Son of Saryug Prasad
Resident of Mohallah - Mahalpar, P.S. - BiharSharif, District - Nalanda. At
present Awaas Sahayak, Block Tharthari, District - Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR THROUGH THE VIGILANCE DEPARTMENT,
GOVERNMENT OF BIHAR, PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Y. C. Verma, Sr. Adv.
Mr. Anil Kumar
For the Opposite Party/s : Mr. Arvind Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 05-06-2020 Heard learned Senior Counsel for the petitioner and
learned Counsel for the Vigilance, through video conferencing.

The petitioner seeks regular bail in connection with
Special Case No. 45 of 2019/Patna Vigilance Police Station
Case No. 49 of 2019, registered for the offences punishable
under Section 7(a) of the Prevention of Corruption Act, 1988.

The allegation against the petitioner, as per the First
Information Report, is that the informant, Kamesh Prasad, made
a complaint before the Vigilance that a sum of Rs. 1,20,000/-
was sanctioned under Pradhan Mantri Awas Yojana and out of
which a sum of Rs. 80,000/- was received by the complaint and
for payment of the balance amount of Rs. 40,000/-, the



petitioner was demanding a sum of Rs. 10,000/-, as bribe. On the basis of the complaint so made, a trap was led by the Vigilance and the petitioner was caught red-handed taking bribe of Rs. 10,000/- and the Vigilance Officials prepared pre-trap and post-trap memorandum.

Learned Senior Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and the petitioner was not the sanctioning authority of the amount meant for Pradhan Mantri Awas Yojana. He further submits that the Vigilance authority, after completion of the investigation, has submitted charge sheet and the case is pending for framing of charge.

On the other hand, learned Counsel for the Vigilance vehemently opposes the prayer for bail. Upon query about the stage of the case, he informs that the application for discharge filed on behalf of the petitioner has been dismissed and the case is fixed on 08th June, 2020, for framing of charge against the petitioner.

After having heard learned Counsel for the parties and taking into consideration the fact that investigation in the case has, now, been completed and the case is at the stage of framing of charge, I am inclined to grant regular bail to the petitioner.



Accordingly, let the petitioner, above named, be released on bail, **after framing of charge**, upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Vigilance, Patna, in connection with Special Case No. 45 of 2019/Patna Vigilance Police Station Case No. 49 of 2019, subject to the condition that the petitioner shall appear on each and every date fixed in the case and his bail bonds would be cancelled if he fails to appear on two consecutive dates.

It is made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---

