

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25651 of 2020

Arising Out of PS. Case No.-4 Year-2020 Thana- VIGILANCE District- Patna

MANOJ KUMAR Son of Late Naarendra Kumar @ Narendra Kumar
Presently at- Revenue Karmchari, Ekangersarai, Telhara Suniyama
Narayanpur, Keshavpur, P.S.- Ekangersarai, District- Nalanda, Permanently at
Village- Manara, P.S.- Noorsarai, District- Nalanda, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Advocate
For the Opposite Party/s : Mr. Arvind Kumar, Advocate
Mr. B.N. Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 06-10-2020 Heard Mr. Yogesh Chandra Verma, learned senior
counsel for the petitioner, Mr. Arvind Kumar, learned counsel
for the Vigilance Department and Mr. B.N. Pandey, learned
counsel appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with
Vigilance P.S. Case No. 4 of 2020 registered for the offence
punishable under Section 7 (a) of the Prevention of Corruption
Act , 1988.

The allegation against the petitioner lodged on the
basis of written complaint of one Shyam Bihari Prasad is that
for the purpose of mutation of his land, the petitioner, who is
Revenue Karmchari demanded a bribe of Rs. 10,000/- and after



verification of the alleged complaint it was found that the demand was subsequently increased to Rs. 20,000/-. Accordingly, the Vigilance Police laid a trap leading to arrest of petitioner along with the bribe money of Rs. 20,000/-.

Learned senior counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and he has been implicated in this case with ulterior motive. Learned counsel further submits that petitioner is Revenue Karmchari whereas, the power to allow mutation or reject lies with the Circle Officer, as such, the allegation against the petitioner that he demanded Rs. 20,000/- for mutation of the land is highly improbable.

Learned counsel for the Vigilance on instruction submits that charge sheet has been submitted in the present case after completion of investigation and the next date for framing of charge is fixed on 16.10.2020.

Having regard to the submissions made by the parties and taking into consideration the materials available on record, I am inclined to grant regular bail to the petitioner **after framing of charge**.

Accordingly, let the petitioner, above named, be released on regular bail **after framing of charge** on furnishing



bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Vigilance, Patna / court concerned in connection with Vigilance P.S. Case No. 4 of 2020 on the following condition:-

(i) that the petitioner shall remain present on each and every date during the course of trial and in case of default on two consecutive dates on the part of the petitioner, his bail bond shall be liable to be cancelled.

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

(Anil Kumar Sinha, J)

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