

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2038 of 2022

Arising Out of PS. Case No.-734 Year-2021 Thana- SASARAM NAGAR District- Rohtas

RAJIV KUMAR SON OF MADAN SAH R/O VILLAGE AND P.S.-
KORHA, DISTRICT- KATIHAR (BIHAR)

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. THE DIRECTOR VIGILANCE DEPARTMENT, BIHAR, PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Dhananjay Kumar Pandey, Adv.
For the Vigilance	:	Mr. Rana Vikram Singh, Spl.P.P., Vigilance
For the State	:	Mrs.Sharda Kumari,APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 07-04-2022 Heard learned counsel for the parties.

The petitioner seeks bail in Special Case No. 37/2021, arising out of Sasaram (Town) P.S. Case No. 734/2021, registered for the offence under Section 384 / 34 of the Indian Penal Code, Section 50 / 52 of the Bihar Prohibition and Excise Act and Section 7 / 13 of the Prevention of Corruption Act.

As per the prosecution case, this petitioner was caught red-handed alongwith co-accused Rajesh Kumar Pandey while taking bribe of Rs. 20,000/- and the bribe money was also recovered from the house of this petitioner.

It is submitted on behalf of petitioner that petitioner has been falsely implicated in this case and no bribe amount has been recovered from the possession of this petitioner. In fact, the



petitioner was going to deposit school fee of his children in school. Petitioner is in custody since 14.09.2021.

However, Sri Rana Vikram Singh, learned Special P.P. for Vigilance has vehemently opposed the prayer for bail and submitted that petitioner has been caught on the spot while taking bribe of Rs. 20,000/- and the bribe money was also recovered from the house of this petitioner.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected. However, the learned court below, where the case is pending, is directed to release the petitioner on bail, **after framing of the charge.**

(Prabhat Kumar Singh, J)

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