

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10861 of 2022

Arising Out of PS. Case No.-42 Year-2021 Thana- C.B.I CASE District- Muzaffarpur

Aman Kumar Singh @ Aman Kumar @ Aman Singh S/o Satyendra Singh
R/o village- Rampurwa, P.S.- Chanpatiya (O.P. Kumarganj), District- West
Champaran

... .. Petitioner/s

Versus

The State Of Bihar Through Vigilance Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Advocate
For the VIB : Mr. Arvind Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 06-07-2022 Heard learned senior counsel appearing on behalf of

the petitioner and learned counsel appearing on behalf of the

State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Vigilance
(Patna) Case No. 42 of 2021 registered for the offence under
Sections 7 (a), 7 (A) and 12 of Prevention of Corruption Act,
2018 and Section 120 (B) of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 29.10.2021.

The allegation against the petitioner, who is Personal
Assistant to Revenue Karmchari, namely, Jagdish Ram, is to



help the Revenue Karmchari in the acceptance of bribe of Rs.12,000/- (Rupees Twelve Thousand).

Learned senior counsel appearing on behalf of the petitioner submitted that the chargesheet has been submitted in this case without obtaining the forensic science report, as regard to chemical analysis of currency involved in the transaction of alleged bribe. While arguing over the matter, it is submitted that the telephonic conversation as available on the record, between the complainant, petitioner and co-accused, nowhere reveals that there is any demand or acceptance of bribe on the part of the petitioner to satisfy the ingredient of Section 7 (a) of Prevention of corruption Act. It is further submitted that nothing surfaced during the course of investigation, which may connect the petitioner with the present set of occurrence. It is submitted that the entire process of seizure is disputed for the reason that the alleged currency has been seized at Chanpatia, Chapra but memorandum of the seizure was prepared in the district of Motihari and, moreover, alleged cash of Rs.12,000/- (Rupees Twelve Thousand) has not been recovered from the petitioner. While concluding the argument, it is submitted that petitioner is a man of clean antecedent.

Learned APP appearing on behalf of the State and



learned Special P.P. appearing on behalf of the Vigilance Investigation Bureau fairly conceded that the chargesheet has been submitted without obtaining the forensic science/chemical analysis report, as regard to seized currency, alleged to be involved in bribe.

Considering the facts and circumstances as mentioned above, as nothing surfaced during the course of investigation, which may connect the petitioner with the present set of occurrence coupled with the fact that chargesheet has been submitted without obtaining the forensic report, let the petitioner, above named, is directed to be released on bail in connection with Vigilance (Patna) Case No. 42 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Vigilance, Muzaffarpur, subject to the following conditions:

“(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical



ground of the petitioner duly supported by the documents.

(ii) That one of the bailors shall be Satyendra Singh, who is the father of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

Ankit/-

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