

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18806 of 2022**

Arising Out of PS. Case No.-53 Year-2021 Thana- C.B.I CASE District- Muzaffarpur

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Guddu Kumar S/o Panalal Prasad R/o village and P.S.- Dhaka, District- East
Champanan

... .. Petitioner/s

Versus

The State of Bihar through Vigilance Department Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manindra Kishore Singh, Advocate

For the Opposite Party/s : Mr. Spl. PP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 10-08-2022 Heard learned counsel appearing on behalf of the

petitioner and learned Spl. PP 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) P.S. Case No. 53 of 2021 registered for the offence
under Section 7(A) of Prevention of Corruption Act, 1988
(Amendment, 2018).

The accused/petitioner is named in the F.I.R. and is in
custody since 15.12.2021.

The allegation against the petitioner is to accept bribe
of Rs.45,000/- (Rupees Forty Five Thousand), on behalf of the
District Programme Officer, from the informant, for payment of



salary due to the informant.

Learned counsel appearing on behalf of the petitioner submitted that from bare perusal of the F.I.R., it appears that the seized currency notes were collected from the ground and not from the hand of the petitioner. It is submitted that nothing surfaced during the course of investigation, which may suggest that petitioner was in position to help out the informant to get his due salary or further to establish a nexus between the District Programme Officer and the petitioner. It is further submitted that chargesheet against the petitioner has been submitted without obtaining the FSL report. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation in this case is complete.

Learned Spl. PP appearing on behalf of the State, while opposing the prayer of bail, fairly conceded that chargesheet has been submitted without obtaining the FSL report. It is submitted that the petitioner avoiding to receive police papers, delaying the compliance of Section 207 of the Cr.P.C.

Considering the facts and circumstances as mentioned above, as chargesheet has been submitted without obtaining the FSL report, let the petitioner, above named, is directed to be



released on bail, after framing of charge, in connection with
Vigilance (Patna) P.S. Case No. 53 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/concerned Court, subject to the
conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

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