

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.24110 of 2022**

Arising Out of PS. Case No.-4 Year-2022 Thana- C.B.I CASE District- Patna

Saurabh Kumar, S/o Sri Binod Jha, Resident of Village- Sundarpur, P.O. Lalbaghk, P.S.- L.N.M.U. Campus, District- Darbhanga. (Bihar)

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Central Bureau of Investigation (C.B.I.) Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                   |
|--------------------------|---|-----------------------------------|
| For the Petitioner/s     | : | Mr. Ramakant Sharma, Sr. Advocate |
|                          |   | Mr. Shashi Nath Jha, Advocate     |
| For the Opposite Party/s | : | Mrs. Rina Sinha, APP              |
| For the C.B.I.           | : | Mr. Avanish Kumar Singh, Advocate |

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**

ORAL ORDER

3      04-08-2022                      Today this case has been listed on priority basis, on the motion slip filed by the learned counsel for the petitioner.

Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, within a period of four weeks from today.

Heard Mr. Ramakant Sharma, learned senior counsel for the petitioner and learned counsel for the C.B.I.

The petitioner seeks regular bail, who is in custody in connection with Spl. Case No. 04 of 2022, arising out of R.C. No. 04 (A) of 2022, registered for the offences punishable under Section 120-B of the Indian Penal Code and Section 7 of the



Prevention of Corruption (Amendment) Act, 1988, as amended in 2018.

As per prosecution case, it is alleged that the Superintendent, CGST office, Hajipur demanded Rs.10,000/- as bribe and this petitioner, Inspector, CGST, Hajipur, has been caught red handed while accepting Rs.7,000/-.

It is submitted by the learned senior counsel appearing on behalf of the petitioner that from the allegations levelled in the F.I.R., it is evident that the alleged bribe was demanded by the Superintendent of CGST Office, Hajipur for continuation of CGST registration and in fact this petitioner allegedly on the dictate of the Superintendent has received the amount. It is also submitted that the Superintendent of CGST has already been granted bail by the learned coordinate Bench of this Court in Cr. Misc. No. 20193 of 2022 vide order dated 12.07.2022. It is next submitted that the investigation of the crime is already completed, charge-sheet has been submitted and cognizance has also been taken and this is not the case of the prosecution that the release of the petitioner would make any hindrance and delay in the trial. The petitioner is in custody since 26.02.2022 having fair antecedent.

On the other hand, learned counsel for the C.B.I.



opposes the bail application and submits that the petitioner was caught red handed while accepting the bribe money and the police after having found the materials has submitted charge-sheet against him.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the senior officer (Superintendent of CGST) of the petitioner, against whom there is allegation that he demanded bribe, has already been granted bail by a learned coordinate Bench of this Court and moreover this petitioner is in custody since 26.02.2022 having clean antecedent, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, C.B.I.-II, Patna in connection with Spl. Case No. 04 of 2022, arising out of R.C. No. 04 (A) of 2022, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.



(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

**(Harish Kumar, J)**

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