

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32477 of 2022

Arising Out of PS. Case No.-11 Year-2022 Thana- VIGILANCE District- Patna

VIKASH RANJAN @ VIKASH KUMAR Son of Late Robin Kumar Ghosh
Resident of Village - Shastri Nagar Madhubani, P.s.- K.Hat, Distt.- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The State of Bihar Through Vigilance Bureau of Investigation, Bihar, Patna.
Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar

For the Opposite Party/s : Mr.Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

5 30-08-2022 Heard learned 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
P.S. Case No. 11 of 2022 (Special Vigilance Case No. 03 of
2022) registered for the offence under Section 07(A) of the
Prevention of Corruption Act, 1988 (as amended in 2018).

The accused/petitioner is named in the F.I.R. and is in
custody since 17.03.2022.

The allegation against the petitioner is to accept bribe
of Rs. 10,000/- from informant while posted as 'Nazir' in the



office of Circle Officer, Purnia to favour in mutation process of the land having Deed No. 3787, Khata No. 79, Khesra No. 78, belongs to the informant.

Learned counsel appearing on behalf of the petitioner submitted that from bare perusal of complaint, it appears that no transactions of bribe money was taken place. It is also submitted that pre-trap memorandum and post trap memorandum is supported by same witnesses, creating a further doubt about entire process of trapping. It is also submitted that no FSL report was obtained regarding alleged conversation of the petitioner. While concluding the argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has already been submitted without obtaining chemical report.

Learned Special PP, while opposing the prayer of bail, submitted that refusal of voice sample by petitioner only suggesting his involvement, but fairly conceded that charge-sheet has been submitted without obtaining chemical report.

Considering the facts and circumstances as mentioned above, as charge-sheet has been submitted without obtaining chemical report in the background of doubtful transaction of bribe money, as per complaint, let the petitioner, above named,



is directed to be released on bail in connection with Vigilance P.S. Case No. 11 of 2022 (Special Vigilance Case No. 03 of 2022) on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum-Special Judge, Vigilance (Trap Case), Bhagalpur/concerned court, 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 deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

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