

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42257 of 2021

Arising Out of PS. Case No.-9 Year-2021 Thana- C.B.I CASE District- Muzaffarpur

KUMAR MANISH S/o Late Sita Ram Sharma Resident of Village-
Manibhakurah, Post- Manibhakurah, P.S.- Sarai, Vaishali, District- Vaishali.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Vigilance Department, Government Of Bihar, Through Additional Chief Secretary, Soochna Bhawan. New Secretariat, Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramakant Sharma- Sr. Advocate

Mr. Sourav Suman- Advocate

For the Opposite Party/s : Mr. Manoj Kumar- A.P.P.

Mr. Arvind Kumar- Adv. for the Vigilance

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 02-02-2022 In compliance of the order dated 31.01.2022, the

A.D.G. Vigilance is present.

Heard learned senior counsel for the petitioner,

learned counsel for the Vigilance and learned A.P.P. for the

State.

The petitioner seeks bail in connection with

Vigilance F.I.R. Case No.09 of 2021 in Special Case No.07 of

2021, instituted for the offences under Section 7(a) of the

Prevention and Corruption Act, 1988.

The learned counsel for the petitioner submits that

prior to institution of the present case was a person with clean

antecedent and after institution of the present case, one more



case relating to disproportionate assets came to be instituted against him.

The learned senior counsel for the petitioner submits that the informant alleges that he had applied for mutation of his property before the Circle Office, thereafter it is alleged that petitioner a Revenue employee for getting the mutation done demanded Rs.91,000/-. The informant accordingly informed the vigilance and the vigilance for confirming the allegation of demand, deputed a constable Manikant Singh. Further constable along with the informant met the petitioner and negotiated the demand and accordingly, the petitioner on a chit of paper recorded Rs.50,000/-, thereafter a trap team was constituted and the petitioner was apprehended with Rs.44,000/- and rest Rs.6,000/- was given to middleman Sunil, who fled taking advantage of the crowd.

The learned senior counsel further submits that petitioner has been falsely implicated in the present case as a government employee, he is aware of his responsibility and someone in his name had accepted that amount and had come to his office and had left the money on the table which the petitioner lifted thinking that who has kept the money and suddenly the vigilance rushed there and he was apprehended



with Rs.44,000/- in his hand.

The learned counsel for the Vigilance as well as learned A.P.P. for the State opposes the bail application and submits that there is allegation against this petitioner of accepting bribe in lieu of getting the work of mutation done.

Be that as it may, the petitioner is in custody, charge-sheet has been submitted and is a government employee, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Vigilance), Muzaffarpur in connection with Vigilance Case No.07 of 2021 arising out of P. S. Case No.09 of 2021, subject to condition that one of the bailers shall be the nephew of the petitioner namely, Kumar Harsh.

The application stands allowed.

The personal appearance of the A.D.G. (Vigilance) is dispensed with.

(Satyavrat Verma, J)

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