

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9859 of 2023

Arising Out of PS. Case No.-64 Year-2022 Thana- VIGILANCE District- Patna

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SANJIT KUMAR @ SANJEET KUMAR S/O KAPILDEV PRASAD R/o-
Harendra Villa, B-204, P.S.- Gardanibagh, Anisabad, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR THROUGH VIGILANCE Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Hemant Kumar

For the Opposite Party/s : Mr.Arvind Kumar

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 11-05-2023 Heard learned counsel for the petitioner as well as
learned APP for the State.

In this case, the petitioner is seeking regular bail in connection with Vigilance P.S. Case No. 64 of 2022, registered for the offences punishable under Sections 7(a) of the P.C. Act 1988.

As per allegation, the petitioner, who is Executive Engineer in Building Construction Division, was trapped while taking bribe of Rs. 2 lacs from the contractor, who is initial complainant.

The learned senior counsel Sri Ramakant Sharma for the petitioner has submitted that the charge-sheet has been submitted on 30.01.2023 without sanction. The judicial custody of the petitioner is illegal on this sole ground. He has submitted further that the petitioner is a person of clean antecedent and is under custody



since 02.12.2022. The entire process of pre-trap and post-trap, after the verification, was done in a single day.

On the other hand, the learned counsel for the vigilance has opposed the prayer for bail and submitted that the petitioner was caught red-handed while taking bribe from the contractor in lieu of making payment of the works done by him, to which the learned senior counsel for the petitioner has replied that one week prior to lodging of the complaint, the entire dues of the complainant was cleared and on the day of lodging of the complaint petition, there was no dues at all and the payment order was given on 26.11.2022.

Considering the above-mentioned facts and circumstances as well as period of custody and clean antecedent, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Special Judge Vigilance, Patna in connection with Vigilance P.S. Case No. 64 of 2022, subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

Kundan/Nirmal

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