

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23388 of 2023

Arising Out of PS. Case No.-10 Year-2023 Thana- VIGILANCE District- Patna

Karunanidhi Saurabh Son Of Keshav Sharma Resident Of Village- Nema,
Namina Rajghat, P.S. Punpun, District- Patna Presently Working As
Divisional Account Officer, Grade Ii, Phed, Saharsa Division, Saharsa

... .. Petitioner/s

Versus

The State Of Bihar through DG, Vigilance, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Singh

For the Opposite Party/s : Mr.Arvind Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 23-05-2023

Heard the parties.

The petitioner is languishing in custody in a case registered for the offences punishable under Sections 7(a) of the Prevention of Corruption Act.

It is alleged against the petitioner that he being Divisional Account Officer, P.H.E.D, Saharsa Division, Saharsa had demanded a bribe of Rs. 20,000/- as advance to the informant for clearing SD refund of the informant.

It is submitted by learned counsel for the petitioner that petitioner is innocent and she has falsely been implicated in this case. The petitioner has been



implicated in this case since he is an honest and sincere employee of the Government. The petitioner never demanded any bribe to the informant. Nothing has been recovered from the conscious possession of the petitioner. The informant claims that a demand of Rs. 20,000/- was made by the petitioner but in the verification made by the constable, the amount is increased to Rs. 56,000/-. The occurrence had taken place on 03.01.2023 and the complaint was lodged on 04.01.2023 but admittedly the F.I.R was registered on 14.02.2023 and the same was presented before the Special Judge, Vigilance (Trap) Bhagalpur on 16.02.2023 after a delay of two days which shows the ill intention on the part of the complainant and the personnel of the Vigilance. There is not a single independent witness in this case on the point of verification, pre and post trap memorandum providing the fact that petitioner has demanded any amount as a bribe and took the same. The charge-sheet has already



been submitted against the petitioner. The petitioner is languishing in custody since 16.02.2023.

In contra, learned counsel appearing for the Vigilance has vehemently opposed the prayer for bail of the petitioner and submitted that there is specific allegation against the petitioner that he demanded bribe and misused his position.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail **after framing on charge** and on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Special Judge, Vigilance Trap, Bhagalpur in connection with Special Vigilance P.S. Case No. 04 of 2023, arising out of Vigilance P.S. Case No. 10 of 2023.

(Sunil Kumar Panwar, J)

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