

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62900 of 2022

Arising Out of PS. Case No.-38 Year-2022 Thana- VIGILANCE District- Patna

KISHORI RAI @ KISHORI PRASAD RAI S/o Late Anandi Rai R/o village-
Keshopur, P.S.- Sakra, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar through Vigilance Department Bihar, PATNA Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Singh

For the Opposite Party/s : Mr.Arvind Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 29-03-2023 Hear learned counsel for the parties.

The petitioner has prayed for regular bail in a case registered for the offence punishable under section 7(a) of the Prevention of Corruption Act, 1988.

As per prosecution story, allegation against the petitioner is of demanding bribe for re-appointment of the informant on the post of teacher from which he was terminated on 5.7.2022. It is further alleged that the Vigilance Department along with the informant went to the office of the petitioner and recovered Rs. 50,000/- from his possession which is alleged to be taken from the informant as bribe.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is further submitted vide



para 8 of the petition that on grounds of the personal needs, the informant demanded money from the petitioner as loan in the month of April, 2021 which the petitioner paid through online transaction of his daughter's account in two parts, a sum of Rs. 19,200/- and 19,267/- in month of April and June, 2021 respectively. As a matter of fact, the petitioner had asked for his loan amount from the informant and just with a view to embezzled the taken money, the informant implicated the petitioner in this case due to ulterior motive. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 26.7.2022.

Learned counsel appearing for the Vigilance department has vehemently opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail **after framing of charge**. The above named petitioner is directed to be released on bail **(after framing of charge)** in connection with Vigilance P.S. Case No. 38 of 2022 arising out of Special Case No. 24 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like



amount each to the satisfaction of learned Special Judge,
Vigilance, Muzaffarpur.

(Sunil Kumar Panwar, J)

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