

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.2074 of 2023**

Arising Out of PS. Case No.-49 Year-2022 Thana- C.B.I CASE District- Muzaffarpur

SUNIL KUMAR S/o Late Yugeshwar Chaudhary R/o P.O. Shahdullapur, P.S.-  
Ganga Bridge, District- Vaishali

... .. Petitioner/s

Versus

The State Of Bihar Through The Additional Director General, Vigilance  
Investigation Bureau, Patna Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Patanjali Rishi

For the Opposite Party/s : Mr.Arvind Kumar

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      28-03-2023                      Heard 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.

As per allegation in the FIR, petitioner was caught red handed by the Vigilance Department while he was taking bribe. On search, Rs. 3000/- cash comprising six currency notes of denomination of Rs. 500 were recovered from his possession.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Petitioner had earlier issued a show cause to the informant of the present case for dereliction in discharge of his duties vide letter no. 369 dated 22.02.2022 and again by letter no. 896 dated 18.8.2022 and in retaliation, informant in collusion with the Vigilance



Department, has implicated in this case by fabricating concocted and baseless allegation. No one is eye witness of the alleged occurrence. In seizure list, two witnesses namely, Pankaj Kumar Giri and Raju Kumar Singh were not real independent witnesses rather they are nearest men of the complainant. He has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 14.09.2022.

Learned APP appearing for the state and learned counsel for the vigilance have vehemently opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case and judicial custody, 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. 49 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, North Bihar, Muzaffarpur.

**(Sunil Kumar Panwar, J)**

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