

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81802 of 2023

Arising Out of PS. Case No.-31 Year-2023 Thana- VIGILANCE District- Patna

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Santosh Kumar Son Of Late Gupteshwar Rai Permanent Resident Of Village- Kenali, P.S. Shambhuganj, District- Banka, At Present Residing At Ward No. 46, Naya Chak Barbigi, Near Shankar Gas Godam, Mirachak, P.S.- Mouzahidpur, District- Bhagalpur, Presently Posted As Clerk (UNDER Suspension) In The Office Of Civil Surgeon, Rohtas At Sasaram

... .. Petitioner/s

Versus

The State Of Bihar Through The Vigilance Investigation Bureau, Patna Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Deeksha Singh
For the Opposite Party/s : Mr.Arvind Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 19-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 7(1) of the Prevention of Corruption Act.

3. As per FIR, police team caught red handed the petitioner who was working as Clerk in Civil Surgeon Office after completing pre-trap and post-trap memorandum by the vigilance team while he was demanding and accepting the cash of Rs. 55,000/- as bribe from the complainant.

4. 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 from para-9 of this petition that the application dated 06.07.2023 submitted by Baban Singh was endorsed to the petitioner for further action on 08.07.2023 and the same was handed over to the petitioner on 10.07.2023, thereafter, an inspection team was constituted under the order of Civil Surgeon, Sasaram for inspecting the site of the proposed pathology center. On receipt of the report, license was granted to the proposed pathology centre of the complainant on 25th August, 2023 itself and this fact has also come during the course of investigation. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 31.08.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. 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. The above named petitioner is directed to be released on bail **after framing of charge if the charge is not framed** in connection with Vigilance P.S. Case No. 31 of 2023 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, Patna.

(Sunil Kumar Panwar, J)

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