

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40058 of 2024

Arising Out of PS. Case No.-3 Year-2024 Thana- C.B.I CASE District- Muzaffarpur

Rinku Kumari, aged about 42 years (Female), wife of Sanjay Kumar, Lineman- cum- Incharge Technical Assistant, North Bihar Power Distribution Company Limited, Darbhanga, resident of village- Sakri, P.S.- Sakri, Dist.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar through Vigilance

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate Ms. Vaishnavi Singh, Advocate
For the Opposite Party/s	:	Mr. Arvind Kumar, Special PP, Vigilance

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 26-07-2024 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Vigilance PS Case No.03 of 2024 dated 02.04.2024, instituted for the offence punishable under Sections 7(a)(c) of the Prevention of Corruption Act, 1988 (Amended 2018) and Section 120-B of the Indian Penal Code.

3. The prosecution case, in brief, is that one Anil Kumar Ram gave a complaint before the Officer- In-Charge of Vigilance Investigation Bureau, Patna, stating therein that for getting electric connection for his Flour Mill, he applied for electric connection online on 27.02.2024 and he mentioned his



requirement as 19 KW. After applying online, he met the petitioner, who is the Technical Assistant, and the Electrical Executive Engineer along with the estimate prepared by the Junior Engineer and informed them that he has applied for electric connection of 19 KW. The petitioner told him that Electrical Executive Engineer has demanded rupees thirty thousand for electric connection and if he does not believe, he may directly talk to Electrical Executive Engineer. Thereafter, a complaint was filed before the Vigilance Department and one officer was directed to make verification and on the basis of verification report dated 02.04.2024 certifying the allegation in the complaint, pre-trap and post-trap memorandums were prepared. In the post-trap memorandum, it is alleged that money was given to the petitioner, who after counting the same gave the same to Mr. Ajit Kumar, Electrical Executive Engineer, who was keeping the same in his hand and the raiding team arrested both of them in presence of two independent witnesses.

4. Learned counsel for the petitioner submits that the petitioner is innocent and she has been falsely implicated in this case. It is further submitted that nothing has been recovered from the conscious possession of the petitioner. Alleged recovery has been made from the Electrical Executive Engineer.



It is also submitted that the petitioner is a lady having two children i.e., one son and one daughter aged about 11 years and 14 years respectively. The petitioner has no role in accepting the said money. Charge-sheet has already been submitted in the case. Petitioner is in custody since 04.04.2024 having clean antecedents.

5. Learned Special PP has opposed the prayer for bail. He submits that the petitioner is the recipient of the money.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Vigilance, North Bihar, Muzaffarpur, in Vigilance PS Case No.03 of 2024, subject to the conditions (i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or her husband, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made



accused in any other case of similar nature after her release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse, and (iv) that if the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

7. The application stands allowed.

8. Before parting, it is necessary to point out that this case has arisen from Vigilance PS Case No.03 of 2024 but while doing stamp reporting and data feeding of this case, it has been mentioned as arising out of CBI Case No.03 of 2024 and that is why at the top of the order-sheet at page 1, in the header, the details of the case is reflecting as CBI Case No.03 of 2024, which is automatically generated from the data base of the case at the time of creation of the order.

9. Office is directed to look into the matter and take necessary remedial steps so that such type of discrepancy may not occur in future. Further, necessary correction, if necessary, be made in the data base of this case.

(Khatim Reza, J)

J. Alam/-

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