

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61048 of 2024

Arising Out of PS. Case No.-15 Year-2024 Thana- Arwal District- Arwal

Sumit Kumar Son of Kamod Kumar@ Kamod Chaudhary Resident of Vill-
Chak Sikandar, P.S.- Bidupur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Samir Kumar, Adv.

For the Opposite Party/s : Mr.Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 18-09-2024

1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Arwal P.S. Case No. 15 of 2024 dated 10.01.2024 registered for the offence(s) punishable under Section(s) 7 (a), (b) and (c) of the Prevention of Corruption Act.

3. Mr. Samir Kumar, learned counsel for the petitioner submits that allegation levelled against this petitioner in the F.I.R. is completely on the basis of suspicion on account of some small transactions found in between the petitioner and his colleague, Sushant Raj and it has been alleged that the petitioner used to ask for Rs. 1000/- each month from all the *Amins* of his camp in his own account to give the amount to the A.D.M. but petitioner's bank account statement (Annexure-3) shows that between 01.02.2023 to 15.01.2024 only Rs. 1,000/- was



transferred to his account once by six employees and Rs. 1,500/- was transferred twice by only one employee and mainly on the said basis the allegation under section 7 (a), (b) and (c) of the Prevention of Corruption Act has been levelled against this petitioner. It is further submitted that one accused, Sanjay Sahni has been granted anticipatory bail by the court of Vigilance Judge, Patna in Special Case No. 01/2024 and the petitioner has got fair and clean antecedent.

4. Though, Mr. Murli Dhar, learned APP appearing for the State has opposed the bail prayer of the petitioner but fairly accepted that except the above transactions made by the colleague employees of the petitioner in the bank account of the petitioner during the relevant period, there is no material evidence to substantiate the allegations made in the F.I.R.

5. Having considered the facts and circumstances of this case appearing from the F.I.R. and mainly taking into account the facts that allegations made in the F.I.R. are completely based on suspicion and merely on the basis of some transactions made in between the petitioner and his colleague employee, the allegation under section 7 (a), (b) and (c) of the Prevention of Corruption Act has been levelled against the petitioner who has fair and clean antecedent, in my opinion, it is



a fit case for grant of anticipatory bail to the petitioner. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Arwal P.S. Case No. 15 of 2024 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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