

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68919 of 2024

Arising Out of PS. Case No.-4 Year-2024 Thana- VIGILANCE District- Patna

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Binit Kumar Jha S/O Late Ganganath Jha R/O Village- Kahra, P.S- Sadar,
District- Sahasra

... .. Petitioner/s

Versus

The State of Bihar through the Vigilance, Bihar, Patna. Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate
For the Opposite Party/s : Mr. Arvind Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 04-12-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Special
Vigilance Case No. 06 of 2024 arising out of Vigilance P.S.
Case No. 04 of 2024 instituted for the offence under Section
7(a) of the Prevention of Corruption Act.

3. As per prosecution case, allegation against the
petitioner - who was Investigating Officer of Bhagwanpur PS
Case No. 126/2024 - is that he has taken bribe to the tune of Rs.
15,000/- from informant of the aforesaid case for arresting the
accused and he was caught red handed.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 11-06-2024. Petitioner is



stated to be man of clean antecedent.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. It is submitted that alleged Rs. 15,000/- was not recovered from the physical possession of the petitioner. It is next submitted that on the alleged date of occurrence petitioner was on official leave. Police after investigation has submitted charge sheet in this case on 02-08-2024. Learned counsel for the petitioner lastly submits that charge is also framed in this case on 21-09-2024.

6. Learned A.P.P. for the Special Vigilance Unit has vehemently opposed the bail petition of the petitioner. As per the counter affidavit filed by the Special Vigilance Unit, it is true that the petitioner took Rs. 15,000/- from the informant and kept the amount in his right fist. The SVU team has recovered aforesaid amount from his possession. Hence, it attracts the provision u/S 7 of the P.C. Act and as such, petitioner does not deserve the privilege of bail.

7. Considering the aforesaid facts and circumstances of the case and period of custody of the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on



furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Special Vigilance Case No. 06 of 2024 arising out of Vigilance P.S. Case No. 04 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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