

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74855 of 2024

Arising Out of PS. Case No.-3 Year-2024 Thana- VIGILANCE District- Patna

Ajit Kumar S/o- Late Ahik Lal Pandit @ Adahik Lal Pandit Resident of plot no- 14 bari co operatives Ps Po- sector- 12, Bokaro steel City jharkhand and present electric executive engineer electricity department darbhanga Rural District-Darbhangha

... .. Petitioner/s

Versus

1. The State of Bihar through Anti Corruption Bureau Vigilance, Patna Bihar
2. Anil Kumar Rai S/o- Hari Prasad Rai Village- Revra Ps- Khanpur Dist- Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. P.N. Shahi, Sr. Advocate Mr. Amit Anand, Advocate Ms. Deeksha Singh, Advocate Mr. Deep Shekhar, Advocate
For the Opposite party	:	Mr. Anil Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 25-10-2024 Heard learned counsel for the petitioner and learned Spl. PP for the Vigilance Department.

2. The petitioner seeks bail in connection with Vigilance P.S. 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. Earlier the prayer of the petitioner for grant of regular bail was rejected by this Court *vide* order dated 30.08.2024 passed in Criminal Miscellaneous No. 45107 of



2024 with an observation that the petitioner will be at liberty to renew his prayer for bail after framing of charge.

4. Learned counsel for the petitioner submitted that charges has been framed on 21.09.2024 for the offences punishable under Sections 7 (a) and 7(c) of the Prevention of Corruption (Amendment) Act, 2018 along with Sections 120(b), 467, 468, 471 and 420 of the Indian Penal Code.

5. The prosecution case, in brief, is that one Anil Kumar Ram filed a complaint before the Officer- In-Charge of the Vigilance Investigation Bureau, Patna, stating therein that for getting electric connection for his Flour Mill, he applied for the same online on 27.02.2024 and he mentioned his requirement as 19 KW. After applying online, he met co-accused, namely, Rinku Kumari, who is a Technical Assistant, and the petitioner who is 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. Rinku Kumari 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 Rinku Kumari, who after counting the same, gave the same to the petitioner, who was keeping the same in his hand and the raiding team arrested both of them in presence of two independent witnesses.

6. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. The petitioner never demanded any illegal gratification by himself or through any other person from the complainant in discharge of his official duty and in fact, the petitioner has been made victim of the circumstance created by the present complainant-cum-informant. It is submitted that the informant, his family members and relatives are habitual in filing such kind of frivolous complaint against the government officials for the satisfaction of illegal demand/extortion of money and this fact can be well inferred from the list of the false complaint of likewise nature against various government officials. It is next submitted that as per the information collected, the informant, his brother, father and brother-in-law have lodged about 9-10 cases against the public authorities holding the public



office/government office and in all these cases, the complainant Anil Kumar Rai or his father or brother or brother-in-law is either the complainant or the witnesses of the trap proceeding. In this regard, the wife of the petitioner has also submitted a detailed representations before the Director General, the Additional Director General, the Superintendent of Police, Vigilance on 6.4.2024 with a prayer to hold free and fair inquiry of the case. Further, the petitioner is a government official and he has become a victim of the circumstance and ready to fulfill all the conditions whatsoever shall be imposed upon him. Lastly, it has been submitted that the petitioner is in custody since 04-04-2024 having no criminal antecedent and chargesheet has been submitted in the case and investigation is complete.

7. Learned A.P.P. has opposed the prayer for bail of the petitioner.

8. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties and period of incarceration of the petitioner, 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 learned Special Judge, Vigilance, North Bihar, Muzaffarpur in Vigilance Case No. 03 of 2024, subject to the



following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(Khatim Reza, J)

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