

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84202 of 2023

Arising Out of PS. Case No.-14 Year-2023 Thana- VIGILANCE District- Patna

Manindar Kumar Mandal @ Manindra Kumar Mandal SON OF LATE
LOKNATH MANDAL R/O KARIMULLAHPUR, MAHADEOPUR, P.S.-
PRANPUR, KATGHAR, DISTRICT- KATIHAR, BIHAR

... .. Petitioner/s

Versus

1. The State of Bihar
2. KARTIK SHARMA SON OF LATE RAJENDRA PRASAD SHARMA R/O
VILLAGE AND POST- PIYANIYA, P.S.- UDWANT NAGAR, DISTRICT-
BHOJPUR (ARA)
3. THE DIRECTOR GENERAL VIGILENCE, BIHAR, PATNA BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sunil Kumar Mishra, Adv.
For the State	:	Mr.Dr. Ajeet Kumar, APP
For the Vigilance	:	Mr. Arvind Kumar (Spl. P. P., Vigilance)

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

5 21-06-2024

1. Heard the parties

2. The petitioner apprehends his arrest in connection
with Vigilance Spl. Case No. 06/ 2023 dated 23.03.2023
registered for the offence(s) punishable under Section(s) 7(a)(c),
7A, 12 of Prevention of Corruption Act.

3. Mr. Sunil Kumar Mishra, learned counsel for the
petitioner submits that as per allegation made in the memo of
trap proceeding, one Ajit Kumar deputed in the *Chakbandi*
office was caught red-handed with the alleged bribe, in which,
the petitioner has no role and the entire conversation that took
place in between the other accused persons and this petitioner,



no any role of the petitioner has surfaced. Learned counsel further submits that petitioner is quite innocent and he is posted as an *adhoc* employee in the *Chankabandi* office concerned and he has been made accused only on the basis of voice conversation made between him and the informant and he neither received the alleged bribe nor intended to receive the same and he is suffering from several diseases and after starting of the investigation the petitioner approached the office of Vigilance Department for interrogation but no attempt was made to take him into custody by the Vigilance Department which also shows that the I.O. did not find any sufficient or cogent material against the petitioner.

4. On the contrary, Mr. Arvind Kumar, learned counsel appearing for the Vigilance Department submits that there is sufficient evidence against the petitioner showing his involvement in the alleged crime of accepting bribe by the co-accused and in this regard, the voice conversation made between the petitioner and the informant is relevant of which transcript copy is available and the petitioner did not appear in the office of the Vigilance Department for interrogation and he has taken a false plea regarding his appearance in the said office and his custody is required for interrogation.



5. Considering the seriousness of the allegation, particularly, petitioner’s indirect involvement in the commission of offence of accepting bribe,as appears from the voice conversation having been made by the petitioner with the informant as reflects from the materials available before this court, this court is not inclined to accept the bail prayer made by the petitioner. Accordingly, his prayer stands rejected.

(Shailendra Singh, J)

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