

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.6762 of 2024**

Arising Out of PS. Case No.-5 Year-2023 Thana- BIHPUR District- Bhagalpur

Nilamber Mishra @ Nilambar Jha Son Of Late Rajdeo Mishra Posted As  
Revenue Karamchari At Circle Office, Narayanpur, Bhagalpur, Resident Of  
Village-Misrauli, P.S.- Simri, District- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Vigilance Investigation Bureau, Patna.

... .. Opposite Party/s

**Appearance :**

|                          |   |                                                                                               |
|--------------------------|---|-----------------------------------------------------------------------------------------------|
| For the Petitioner/s     | : | Mr. Vinay Ranjan, Advocate<br>Mr. Abhishek Teerthankar, Advocate<br>Mr. Ankit Kumar, Advocate |
| For the Opposite Party/s | : | Mr. Mohammed Arif, APP                                                                        |
| For the Vigilance        | : | Ms. Archana Palkar Khopde, Advocate                                                           |

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

2      17-02-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Special Vigilance Case no.2 of 2023, arising out of Bihpur (Bhawanipur O.P) P.S Case no.5 of 2023 registered under section 420 of the Indian Penal Code and sections 7(a) and (b) of the Prevention of Corruption Act.

3. As per the prosecution case, the informant states that an audio recording was received on the mobile phone, from hearing of which it transpires that the petitioner who was a *Rajasva Karamchari* was making a demand of Rs.10,000 for



carrying out the work.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case by the Circle Officer, Narayanpur. The allegation against the petitioner has not been substantiated. He retired from service in December, 2024 and as per instructions received even the audio clip has still not been verified. The petitioner is in custody since 30.11.2023 and undertakes to cooperate in the investigation/case.

5. The application for bail is opposed by learned A.P.P for the State and learned counsel for the Vigilance Investigation Bureau. It is submitted that there is direct allegation against the petitioner of having demanded a bribe of Rs.10,000/-. The audio clip has been sent for verification. The petitioner also has a criminal antecedent against him. The application for bail be rejected.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the sole basis of the allegations being the audio clip already being in possession of the Vigilance Investigation Bureau together with the petitioner having remained in custody since 30.11.2023, the petitioner is directed to be enlarged on bail in connection with



Special Vigilance Case no.2 of 2023, [arising out of Bihpur (Bhawanipur O.P) P.S Case no.5 of 2023] on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District Judge-V-cum-Special Judge, Vigilance (Trap), Bhagalpur.

**(Partha Sarthy, J)**

Shiv/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

