

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44053 of 2025**

Arising Out of PS. Case No.-21 Year-2025 Thana- VIGILANCE District- Patna

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Ajay Kumar S/O Late Satyadeo Singh R/O Village- Khulsa, P.S- Jamo Bazar,
Distt.- Siwan.

... .. Petitioner/s

Versus

Vigilance Investigation Bureau through the Superintendent of Police. Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Advocate Mr. Amresh Kumar, Advocate Mr. Rakesh Kumar Sharma, Advocate
For the Opposite Party/s	:	Mr. Arvind Kumar, Law officer, Vigilance

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

6 15-10-2025 Heard learned counsel for the petitioner and learned
counsel for the Vigilance.

2. The petitioner has preferred this application for grant of regular bail in connection with Vigilance Investigation Bureau P.S. Case No. 21/2025 dated 28.04.2025 registered for the offences punishable u/s 7(a) of the Prevention of Corruption Act.

3. As per the prosecution case, on 24.03.2025, one Santosh Prasad Yadav, the complainant submitted a written complaint to the Vigilance Police Station, Patna, alleging therein that the complainant is a contractor in LAE-WD-1, Motihari. The complainant further alleged that work was allotted to him for village Mananpur under Panchayat Sarkar Bhawan, Siswa



Kharar by an agreement number SBD- 03/2023-24, which was executed in his favour by LAE-WD-1. The estimated cost of that work was Rs. 3,01,33,558. The complainant further alleged that he had done the work of Rs 60,00,000 and submitted the bill for payment of the said amount and the same was pending for payment. For payment of the aforesaid bill, the petitioner Sri Ajay Kumar, then Executive Engineer, LAE-DW-1, Motihari has demanded Rs. 3,00,000 as bribe and said that without paying bribe amount, the aforesaid bill of Rs. 60,00,000 would not be paid to the complainant. As the complainant was unwilling to pay the bribe, he lodged this complaint to take proper action. On the basis of the complaint the Vigilance Investigation Bureau, Patna sent a verifier to verify the allegation made by the complainant and after receiving the verification report dated 28.04.2025 a trap team was constituted and Pre-Trap Memorandum has been prepared on 28.04.2025 the petitioner was arrested with Rs. 2,00,000/- as a illegal gratification. In the post trap memorandum Rs. 2,00,000/-was recovered from a red bag on the table.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner was appointed as



Assistant Engineer in the year 2004 and was thereafter promoted on the post of Executive Engineer where he was working satisfactorily. There is no allegation against the petitioner till his service. Learned counsel has further submitted that work has been allotted to the complainant and the complainant has submitted the first bill of Rs. 60,36,300/- which was paid to him on 01.08.2024, Thereafter the complainant submitted his second bill of Rs. 61,85,068/- which was paid to him on 05.12.2024 and third bill of Rs. 32,66,880/- which was paid to him on 09.04.2025. Learned counsel has submitted that the post trap memorandum clearly shows that the tainted money was recovered from the table in a red bag. It is not recovered from the possession of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 30.04.2025.

5. Learned A.P.P. for the Vigilance has vehemently opposed the bail petition of the petitioner by submitting that the petitioner demanded bribe money from the complainant. It is further submitted that the tainted money was recovered from the red coloured bag kept on the table of bedroom of the accused petitioner and thereafter when the fingers of the both hands of the accused petitioner were dipped into the solution of Sodium Carbonate, it turned pink. This clearly shows that after taking



bribe money in hand, the accused petitioner placed it on the table. So, the tainted money was in conscious possession of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Vigilance, Muzaffarpur in connection with Vigilance Investigation Bureau P.S. Case No. 21/2025 with the conditions:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner is liable to be cancelled.

(ii). The petitioner is directed to co-operate in the trial in the learned court concerned.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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