

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47348 of 2025

Arising Out of PS. Case No.-35 Year-2025 Thana- VIGILANCE District- Patna

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Avinash Kumar S/O Sitaram Singh @ Sita Ram Singh R/O Village- Madarna
Urf Gopinathpur, P.S- Vaishali, Distt.- Vaishali, Bihar- 844113.

... .. Petitioner/s

Versus

The State of Bihar through Spl. Vigilance Unit, Patna (Bihar)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mrs.Shashi Priya, Advocate Ms. Pankhuri, Advocate Mr. Ritwaj Raman, Advocate
For the Vigilance	:	Mr. Rana Vikram Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 30-07-2025 Heard learned counsel for the petitioner and learned
counsel appearing for the Special Vigilance Unit.

2. In the present case, the petitioner seeks bail in connection with Vigilance P.S. Case No. 35 of 2025 registered for the alleged offences under Section 7(a) of Prevention of Corruption (Amendment) Act, 2018.

3. As per prosecution case, on complaint being made by the informant about demand of bribe from co-accused Neelam Kumari, who had been working as Block Development Officer, Lalganj for releasing the installment of Pradhan Mantri Awas Yojna, a trap was laid. When the bribe money was being given to the co-accused B.D.O., she asked the informant to hand



it over to this petitioner, who had been working as her driver and during raid it was found that the petitioner gave the bribe money to co-accused B.D.O. who had kept it in her drawer.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. From the audio recording and the complaint it is evident that nowhere the name of the petitioner transpired for being involved in the occurrence. Only when the petitioner was directed by his superior to accept the money and which was subsequently handed over to co-accused B.D.O. Neelam Kumari, he was apprehended. The petitioner neither demanded bribe nor accepted the same and he, under the instructions of his superior, took the same and hand it over to his superior. The petitioner has become a victim of circumstances. The petitioner has got no criminal antecedent and he is in custody since 10.06.2025

5. Learned counsel appearing on behalf of Special Vigilance Unit vehemently opposes the submission made on behalf of the petitioner. Learned counsel submits that the charge sheet is yet to be filed and when the petitioner was apprehended he was made to put his hand in the solution of sodium bicarbonate and it was found that he handled the bribe money.



6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that there appears no complaint against the petitioner for demanding or accepting the bribe money and further considering the fact that the petitioner acted on the direction of his superior and recovery was made from the drawer of co-accused, the petitioner above named is directed to 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 learned Special Judge, Vigilance, North Bihar, Muzaffarpur/concerned Court in connection with Vigilance P.S. Case No. 35 of 2025, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the



petitioner will be liable to be cancelled
by the court concerned.

(Arun Kumar Jha, J)

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