

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46550 of 2025

Arising Out of PS. Case No.-74 Year-2025 Thana- PATAHI District- East Champaran

Akhilesh Kumar Singh S/o Late Gopal Singh R/o Village- Rajpur, PS- Shahpur Patory, District- Samastipur at present resident of Village- Jadhuwa, PS- Hajipur Town, District - Vaishali the then Sub Inspector, posted as Patahi Police station, P.s. - Patahi, Distt. - East Champaran at Motihari

... .. Petitioner/s

Versus

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

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Advocate Mr. Pravin Kumar, Advocate Ms. Kumari Rashmi, Advocate Mr. Shailendra Kumar Singh, Advocate
For the Vigilance	:	Mr. Rana Vikram Singh, Spl. P.P.
For the State	:	Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 17-10-2025 Heard Mr. Krishna Prasad Singh, learned Senior Counsel for the petitioner, Mr. Rana Vikram Singh, learned counsel for the Vigilance and Mr. Jitendra Kumar Singh, learned APP.

2. The petitioner is apprehending arrest in connection with Special Case No. 17 of 2025 arising out of Patahi P.S. Case No. 74 of 2025 instituted under Sections 199, 308(4), 308(5), 352, 351(2) of Bhartiya Nayay Sanhita, 2023 and later section 7/3 of the P.C. Act was added lodged



on 22.02.2025 by the informant, Khushboo Kumari.

3. As per the prosecution story, the informant has alleged that she was assaulted by Sunil Kumar Singh and other associates who are the neighbours which led to Patahi P.S. Case No. 47 of 2025. However, the Investigating Officer of the said case (the petitioner herein) demanded bribe. Further allegation is that he came to the informant's door in the garb of investigation and demanded Rs.15,000/- but she could pay only Rs.2000/- whereafter, she was told to give rest amount at the police station. She later alongwith with her son went to the police station and another Rs.5000/- was given. This was video recorded by her son, as a result, the present case.

4. Learned Senior Counsel for the petitioner submits that FIR dates back to 22.02.2025, action has been taken against him on the basis of said video, not only FIR lodged, he stands suspended. However, till date there is nothing on record to show whether the State has taken any step to get the truthfulness of the said video checked by sending to an appropriate laboratory.

5. He has taken this Court to the learned Sessions Judge order to show that nothing sort of that finds recorded



in the said order.

6. Since the case has also attracted under section 7 of the Prevention of Corruption Act, Mr. Rana Vikram Singh is appearing on behalf of the Vigilance and has filed counter affidavit. He has also taken this Court to the learned Sessions Judge order to show that the Court concerned saw the video recording before rejecting the anticipatory bail application of the petitioner.

7. Allegation is there, it is based on a video recording, the veracity of the same has still not been confirmed and there is nothing on record to show that the same has been found to be true. Investigation is going on, as informed, the petitioner stands suspended, he shall be facing the music, the State has option to approach afresh if situation so warrant. In view of the fact that the petitioner has no criminal antecedent, an undertaking has been given that he shall be cooperating in the investigation, have no track with the informant/family member and shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

8. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court



within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Special Case No. 17 of 2025 arising out of Patahi P.S. Case No. 74 of 2025 to the satisfaction of learned Special Judge (Vigilance), North Bihar, Muzaffarpur subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(v) the petitioner shall in no way try to induce or



promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(vi) the petitioner shall desist from committing any
criminal offence again, failing which the State shall be at
liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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