

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47170 of 2025

Arising Out of PS. Case No.-53 Year-2025 Thana- Purbasarai District- Munger

Sumit Kumar S/o- Narendra Prasad Singh R/o village- Prabodhi Narendra PS.
Sarai District-Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Vigilance Department, State of Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anshul, Sr. Advocate Mr. Jagjit Roshan, Advocate
For the Opposite Party/s :		Mr. Sanjay Kumar Singh, APP
For the O.P. No. 2	:	Mr. Rana Vikram Singh,

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 25-09-2025 Heard learned senior counsel for the petitioner,

learned APP for the State, learned counsel for the opposite party

no. 2 and perused the case diary.

2. The petitioner seeks bail in connection with

Purbasarai P.S. Case No. 53 of 2025, instituted for the offences

punishable under Sections 316(5) and 308(2) of the Bharatiya

Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that the petitioner

illegally demanded money from newly appointed constables in

connection with their medical examination.

4. Learned senior counsel for the petitioner submits

that the petitioner is innocent and has falsely been implicated in



the present case. Charge-sheet has been submitted in this case. Learned senior counsel for the petitioner also submits that the allegation levelled against the petitioner is not specific rather the same is general and omnibus in nature. It is submitted that neither any cash has been recovered from the petitioner nor any amount has been transferred in the account of the petitioner and there is no material or evidence to show that the petitioner has received any cash/gratification or online amount in his account. It is further submitted that list of candidates who have given money and cash have been recovered from the possession of Vikash Kumar as also Prabhavati Kumari collected the amount and transferred it online to Vikash Kumar. The petitioner is in custody since 12.06.2025 and has got no criminal antecedent.

5. Learned APP for the State and learned counsel for the opposite party no. 2 have vehemently opposed the prayer for grant of bail to the petitioner and submits that the petitioner is posted as a Trainee Sub-Inspector (Sergeant) in Munger and there is specific allegation against the petitioner of demanding money from the newly appointed police constables with regard to their medical examination. The witnesses in their respective statements on paragraph nos. 4, 5, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 52 and 53 of the case diary have supported the



prosecution case and also it seems that some witnesses have stated that they have paid some money to two of their colleagues so that the same be handed over to the petitioner. It is further submitted that Charge-sheet has been submitted in this case under Section 308(2) of the Bharatiya Nyaya Sanhita, 2023 and Section 07 of Prevention of Corruption Act and the allegation pertains to corruption by a public servant. Hence, the petitioner does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected. The trial Court is directed to expedite the Trial. However, if the trial is not concluded within a period of five months from the date of receipt/production, the petitioner will have liberty to renew his prayer for bail in the Court below.

8. Interlocutory Application, if any, stands disposed of.

(Rudra Prakash Mishra, J)

Rajorshi/-

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