

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67683 of 2025

Arising Out of PS. Case No.-52 Year-2025 Thana- VIGILANCE District- Patna

Rakesh Kumar S/O Late Jaiprakash Rajak (Circle Officer Patarghat), R/O
Vill.- Kala Rampur, P.S.- Muffasil, Dist.- Munger

... .. Petitioner/s

Versus

The State Of Bihar Through Vigilance, Patna Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kr. Thakur, Adv
	:	Mrs. Vaishnavi Singh, Adv
	:	Mr. Ritwik Thakur, Adv
	:	Mr. Purushottam Kumar, Adv
For the Opposite Party/s	:	Mr. Arvind Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

5 02-12-2025 Heard the parties.

2. The petitioner seeks bail in connection with Vigilance
P.S. Case No. 52 of 2025 registered for the offences under
Sections 7(a)(c) and 12 of the Prevention of Corruption Act.

3. The petitioner is named in the F.I.R. and is in custody
since 12.07.2025.

4. The allegation against the petitioner is to accept
bribe of Rs. 20,000/- being Circle Officer at Patarghat in
connection with mutation of property the description of which is
available with FIR.

5. Mr. Ajay Kr. Thakur, learned counsel appearing on
behalf of the petitioner submitted that alleged trap was not in
terms of established principle of law. It is also submitted that voice



record *qua* alleged bribe is mainly with computer operator and not with this petitioner. Arguing further, it is submitted that application for mutation was made by Dropadi Devi, who never raised any allegation against petitioner as to demand bribe. It is submitted that vigilance team forcibly put chemical powder on the hands of petitioner, which may be easily gathered by CCTV footage installed over there. It is pointed out that petitioner was never found indulged in any such type of activity in last three years of his service. While concluding the argument it is submitted that, petitioner is a man of clean antecedent and moreover, investigation of this case has already completed, as such, there is no chance of tampering with the evidence.

6. Mr. Arvind Kumar, learned counsel for the Vigilance, while opposing the prayer for bail submitted that allegation as to receive bribe is specific against this petitioner. It is pointed out that no illegality was committed by Vigilance Deptt. during the trap. However, he conceded that no complaint was ever raised by applicant of mutation petition namely Dropadi Devi.

7. In view of aforesaid factual submission and by taking note of fact as allegation prima-facie not appears to be raised by the applicant of mutation petition, coupled with the fact as petitioner remains in custody since 12.07.2025, being a man of



clean antecednet, accordingly above named petitioner, is directed to be released on bail in connection with Vigilance P.S. Case No. 52 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge (Vigilance), Bhagalpur/concerned court, subject to the conditions as mentioned under Section 480(3) of the B.N.S.S. with further condition:-

(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(Chandra Shekhar Jha, J.)

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