

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67754 of 2025

Arising Out of PS. Case No.-53 Year-2025 Thana- VIGILANCE District- Patna

1. Rajeev Kumar @ Rajeev Kumar Paswan S/O Late Jitendra Paswan R/O Village- Kunder, P.O.- Gopalpur, P.S.- Chanan, District- Lakhisarai.
2. Abhay Kumar S/O Vijay Kumar Sinha R/O Vill.- Dighri, Ward No.- 06, Surajgarha, Dist.- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar through the Superintendent of Police, Vigilance Investigation Bureau, Patna Patna. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Advocate Mr. Rakesh Kumar Sharma, Advocate Mr. Mayank Raj, Advocate Mr. Avinash Kumar, Advocate
For the Opposite Party/s	:	Mr. Arvind Kumar, APP
For the Vigilance	:	Mr. Anil Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

5 10-12-2025 Heard learned counsel appearing on behalf of the petitioners and learned APP appearing on behalf of the State.

2. The petitioners seek bail in connection with Vigilance P.S. Case No. 53 of 2025, registered for the offence under Sections 7(a), 7(b), 12 of the Prevention of Corruption Act, 1988 (amended 2018).

3. The accused/petitioners are named in the F.I.R. and are in custody since 19.07.2025.

4. The allegation against petitioners is to accept bribe of Rs. 50,000/- from the petitioners, where petitioner no.1 is working as Fisheries



Development Officer and petitioner no. 2 is working as Fisheries Development Extension cum Nodal Officer, Jamui.

5. Mr. Ramakant Sharma, learned senior counsel while arguing for petitioners submitted that present implication/trap made out of oblique motive on instance of complainant who was desirous not to return extra payment. Explaining the same, it is submitted that the excessive amount of Rs. 1.5 lacs transferred to the account of wife of the informant i.e. total of Rs. 2,14,000/- where the due amount to the wife of the informant was only Rs. 67,000/- as beneficiary. It is pointed out by Mr. Sharma that when the excessive amount was asked to return by the petitioners, the husband of the informant approached to office of the petitioners and request them to fix three installments each of Rs. 50,000/-, and when the informant was paying his first installment of Rs. 50,000/- to the petitioners in his office, the present trap case was made. It is submitted that this fact is evident from second paragraph of the FIR/verification report itself.

6. Arguing further, Mr. Sharma submitted that even from conversation between petitioners and the informant as per audio script, which is the part of FIR



itself, nothing can be gathered that the amount of Rs. 50,000/- was paid as a bribe against Rs. 1.50,000/- under the assurance that same would not recover by the petitioners and, therefore, the calyx of allegation appears false on its face.

7. It is further argued that besides aforesaid, there is also contradictions *qua pre-trap* memorandum to that of *post-trap* memorandum as the witnesses are not independent and further the mandatory guidelines for such a trap also not appears complied with.

8. Mr. Anil Singh, learned law officer, appearing for department of Vigilance, Government of Bihar, while opposing the prayer of bail submitted that both petitioners were trapped while receiving the bribe of Rs. 50,000/-. It is submitted that upon chemical analysis, the hand of petitioners turned pink, where seized currency notes also affirmed upon chemical examination that same was paid by the informant to the petitioners.

9. Considering the aforesaid factual submissions and by taking note of fact as factual aspects of this case suggest the excessive payment of Rs. 1.50,000/-, to the account of the informant, where *prima facie* nothing transpires out of FIR and audio



conversation, which may suggest that Rs. 50,000/- was paid as bribe to petitioner no. 2, particularly in view of paragraph no. 2 of the FIR itself, where the installment of Rs. 50,000/- was fixed against excessive payment of Rs. 1.50,000/, coupled with the fact that investigation of this case is already completed, where both petitioners remain in custody since 19.07.2025 accordingly, both above named petitioners are directed to be released on bail in connection with Vigilance P.S. Case No. 53 of 2025, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each 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 437(3) of the Cr.P.C./Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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