

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71978 of 2025

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

Rahul Kumar, aged about 30 years, Male, S/O Bidyanath Sharma @ Baijnath Sharma, Data Entry Operator, Anchal Office, Patharghat, R/O Mohalla-Madhepura, Ward No.21, Police Station and District- Madhepura

... .. Petitioner

Versus

The State of Bihar through Superintendent of Police Vigilance Investigation Bureau, Bihar, Patna

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Raj Krishna Jha, Advocate
For the Opposite Party : Mr. Arvind Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 18-11-2025 Heard learned counsel for the petitioner and learned counsel for the Vigilance.

2. The petitioner seeks bail in connection with Vigilance P.S. Case No. 52/2025 dated 10.07.2025 registered for the offences punishable under Sections 7(a), (c) and 12 of the P.C. Act, 1988 (Amended 2018).

3. As per the prosecution case, as per the complaint of the complainant, Kailash Yadav, his sister Draupadi Devi purchased a land measuring 61.98 decimal on 20.03.2025. Thereafter, he applied for mutation of the said land through Online Mode on 02.06.2025 and to check the status of Online application, the complainant went to the office of the Patharghat



Circle Officer, Rakesh Kumar, on 24.06.2025 with his friend Robin Kumar where the said Circle Officer demanded Rs. 20,000/- as bribe and told him to meet with his 'Computer Data Operator', namely, Rahul Kumar (petitioner). Thereafter, Rahul Kumar (petitioner) demanded Rs. 20,000/- as per the instruction of the said Circle Officer and thereafter the work would be done. Thereafter, the complainant returned to his home and he does not want to give bribe.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that from perusal of the post-trap memorandum dated 11.07.2025, it is evident that the petitioner has not taken any bribe amount and no any bribe amount has been recovered and the petitioner being the Data Computer Operator, has also been implicated in the present case without committing any crime, hence, in absence of recovery, Sections 7(a)(c) and 12 of the P.C. Act is not applicable in the present case. It is further submitted that prior to making allegation of demand of Rs. 20,000/-, Mutation Case No. 273/2025-26 of the petitioner was rejected by the said Circle Officer on the ground of objection made by some other persons and after that it was rejected on 20.06.2025 and after that a petition was filed on



26.06.2025, so, the question of demand of bribe by the petitioner or the co-accused does not arise. The complainant, Kailash Yadav, is not the land owner rather Draupadi Devi is the land owner and she has not made any complaint against the petitioner and for some reason, he filed a petition making false allegation against the petitioner. Nothing incriminating article has been recovered from the possession of the petitioner. The petitioner was working as a 'Data Entry Operator' in the said Circle Office and performing his duty properly and accurately by imputing, updating and maintaining the land records in the digital data base and when the request of the complainant for imputing the name of Draupadi Devi in the digital data base without order of the authority concerned, his name has also been inserted in the present case. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. The petitioner is in custody in this case since 12.07.2025.

5. Learned counsel for the Vigilance has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of



the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Vigilance, Bhagalpur in connection with Vigilance P.S. Case No. 52/2025 with further condition:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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