

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89526 of 2024

Arising Out of PS. Case No.-651 Year-2024 Thana- SIWAN CITY District- Siwan

Ashok Kumar Sinha @ Ashok Kumar S/o Griwardhari Shankar Sinha R/o
Kasera Toli, P.S- Siwan Town, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Special Case No. 17 of 2024 arising out of Siwan Town P.S. Case No. 651 of 2024, registered on 12.11.2024 for the offences under Section 173 of Bharatiya Nyaya Sanhita and Section 7(a), 13(ii) of the Prevention of Corruption Act.

3. As per prosecution case, during a surprise inspection of District Record Room, the petitioner was found taking bribe from a person and recovery of Rs. 560/- was made from the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this



case. No money was recovered from the possession of the petitioner and there is no material on record to show that the money recovered from the petitioner was bribe money. There has been no allegation of demand being made by the petitioner or acceptance of bribe by the petitioner. The whole story seems to be unbelievable. Petitioner is having one criminal antecedent. Petitioner is in custody since 14.11.2024.

5. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that the petitioner was apprehended accepting bribe during a surprise checking.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the vague nature of allegation and also considering the period of custody of the petitioner, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Vigilance, Muzaffarpur/concerned court, in connection with Special Case No. 17 of 2024 arising out of Siwan Town P.S. Case No. 651 of 2024, subject to the condition laid down under Section 437(3) of the code of Criminal Procedure and other following conditions:

(i) One of the bailors will be a close



relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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