

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13111 of 2026

Arising Out of PS. Case No.-94 Year-2025 Thana- VIGILANCE District- Patna

Nitish Kumar S/o late Surendra Prasad Resident of Village- Dargah Road,
Lakshami Niwas, near Devi Sthan, Shanichara More, P.S.- Sultanganj, Dist-
Patna

... .. Petitioner/s

Versus

The State of Bihar through Vigilance Unit Patna Patna, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rishup, Advocate

For the Opposite Party/s : Mr. Arvind Kumar, Law Officer, Vigilance

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 01-05-2026 Heard Mr. Rishup, learned counsel for the petitioner
and Mr. Arvind Kumar, learned counsel for the Vigilance.

2. Petitioner seeks bail who is in custody since
01.11.2025 in connection with Special Case No. 64 of 2025
arising out of Vigilance P.S. Case No. 94 of 2025, F.I.R. dated
31.10.2025 for the offences punishable under Section 7(a) of
Prevention of Corruption Act, 1988.

3. According to prosecution case, this petitioner has
demanded Rs. 1 lakh as bribe from the informant to complete
the work.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. The allegation as alleged in the



FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. It appears from the FIR that the recovery has been made from the co-accused, namely, Devendra Kumar. As per the allegation in the FIR, on the instance of petitioner, the co-accused Devendra Kumar received money and except the aforesaid, nothing has come during investigation which suggest the involvement of the petitioner in the present occurrence. He further submits that the Vigilance have submitted the charge sheet against the petitioner. The petitioner is in custody since 01.11.2025.

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

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, recovery has been made from the possession of the co-accused and Vigilance have submitted charge sheet, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Vigilance, Patna in connection with Special Case No. 64 of 2025 arising out of Vigilance P.S. Case No. 94 of 2025, subject to the following conditions:-



i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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