

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51686 of 2026

Arising Out of PS. Case No.-24 Year-2020 Thana- VIGILANCE District- Patna

Sudhir Kumar S/O Late Arun Kumar Ray @ Arun Kumar Roy Resident of Village- Jitwaria, P.S- Kalyanpur, Distt.- Samastipur, at present residing at Flat no. 202, Harichandra Tower, East Indira Nagar, Road No.4, P.S.- Kankarbagh, Distt.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Superintendent of Police, Vigilance Investigation Bureau, Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bindhyachal Singh, Sr. Advocate
		Mr. Ram Binod Singh, Advocate
For the Opposite Party/s	:	Mr. Ahmad Ali, APP
For the Vigilance	:	Mr. Arvind Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 29-07-2026 Heard learned counsel for the petitioner, learned counsel for the Vigilance and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Special Case No.24 of 2020 (arising out of Vigilance P.S. Case No.24 of 2020) dated 29.10.2020, registered for the offence punishable under Sections 13(2) read with 13(1) (b) of the Prevention of Corruption Act, 1988 (Amended 2018) and under Section 109/120B of the Indian Penal Code.

3. As per the FIR, it is alleged that while posted as District Manager, Bihar State Food and Civil Supplies Corporation, Rohtas, the petitioner was caught red-handed by a



Vigilance team while accepting a bribe of Rs. 90,000/-. It is further alleged that during the check period from 20.06.2007 to 22.08.2019, the petitioner was found in possession of assets disproportionate to his known sources of income to the tune of Rs. 53,24,431/-, including movable and immovable properties standing in the name of his wife, Smita Kumar, a housewife.

4. Learned Senior Counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. It is submitted that initially Vigilance P.S. Case No. 36 of 2019 was instituted under Section 7(a) of the Prevention of Corruption Act on the allegation that while the petitioner was posted as District Manager, Bihar State Food and Civil Supplies Corporation, Rohtas, he was caught accepting a bribe of Rs. 90,000/-. It is further submitted that pursuant to the registration of the said case, a search was conducted at the residential premises of the petitioner and assets alleged to be disproportionate to his known sources of income, amounting to Rs. 53,24,431/-, were detected, on the basis of which the present case has been instituted. It is further submitted that the investigation has already been completed and charge-sheet has been submitted, which fact has not been disputed by the learned counsel appearing for the Vigilance.



Learned Senior Counsel further submits that in the trap case, i.e., Vigilance P.S. Case No. 36 of 2019, the petitioner has already been granted bail. It is also submitted that the petitioner has since been dismissed from service and, therefore, there is no likelihood of him tampering with the evidence. Lastly, it is submitted that the petitioner has one criminal antecedent.

5. On the other hand, the learned APP for the State as well as learned counsel for the Vigilance has opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case and taking into account that the investigation has already been completed, charge-sheet has been submitted, the petitioner has already been granted bail in Vigilance P.S. Case No. 36 of 2019, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Vigilance, Patna/Successor Court in connection with Special Case No.24 of 2020 (arising out of Vigilance P.S. Case No.24 of 2020), subject to the conditions as laid down under Section 482(2) of the BNSS as well as the following conditions:



- (i) One of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/ personal affidavit to show his/her bona fide;
- (ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;
- (iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;
- (iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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