

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87245 of 2025

Arising Out of PS. Case No.-76 Year-2025 Thana- VIGILANCE District- Patna

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Kundan Kumar S/o Late Umesh Mahto @ Umesh Malakar @ Umsh Malakar
At. present C/o- Vijay Kumar Chourasia, Village- Bank, P.S- Dandari, Dist-
Begusarai, permanent address- Manopur, Muradpur (Muradear), P.S-
Bhagwanpur, Dist- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar through The Vigilance Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Awnish Kumar, Advocate
For the Vigilance : Mr. Arvind Kumar, Law Officer, Vigilance

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 05-01-2026 Heard learned counsel for the petitioner and learned

Law Officer for the Vigilance.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 7(a) (c), 12,
61(2) of Prevention of Corruption Act, 1988, amended, 2018.

3. The case of the prosecution is that the petitioner in
connivance with C.O. (Circle Officer) has demanded Rs. 3 lakhs
for mutation and issuing receipt thereof. This information was
given to the Vigilance Department on which, a team was
constituted after verification and it is apparent from the order of
the learned trial court that Rs. 2 lakhs was recovered from the
possession of this petitioner and it was put on the table of C.O.

Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. Learned counsel for the petitioner has submitted that C.O. has been granted bail by learned trial court itself whereas the alleged sum was found on the table of the C.O. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 09.09.2025.

5. Learned APP appearing for the Vigilance has vehemently opposed the prayer of regular bail and has submitted that actually the cash was received by this petitioner and it was put on the table of the C.O which was proved as his hands turned pink after scientific examination.

6. Learned counsel for the petitioner has submitted that in any view of the matter, as per the FIR, the main thrust of allegation is against the C.O. The petitioner is only the middleman.

7. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Patna Vigilance P.S. Case No. 76 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like



amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Vigilance, Bhagalpur **with the condition that the petitioner shall cooperate in the trial and shall remain present in the trial court whenever required.**

(Ashok Kumar Pandey, J)

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