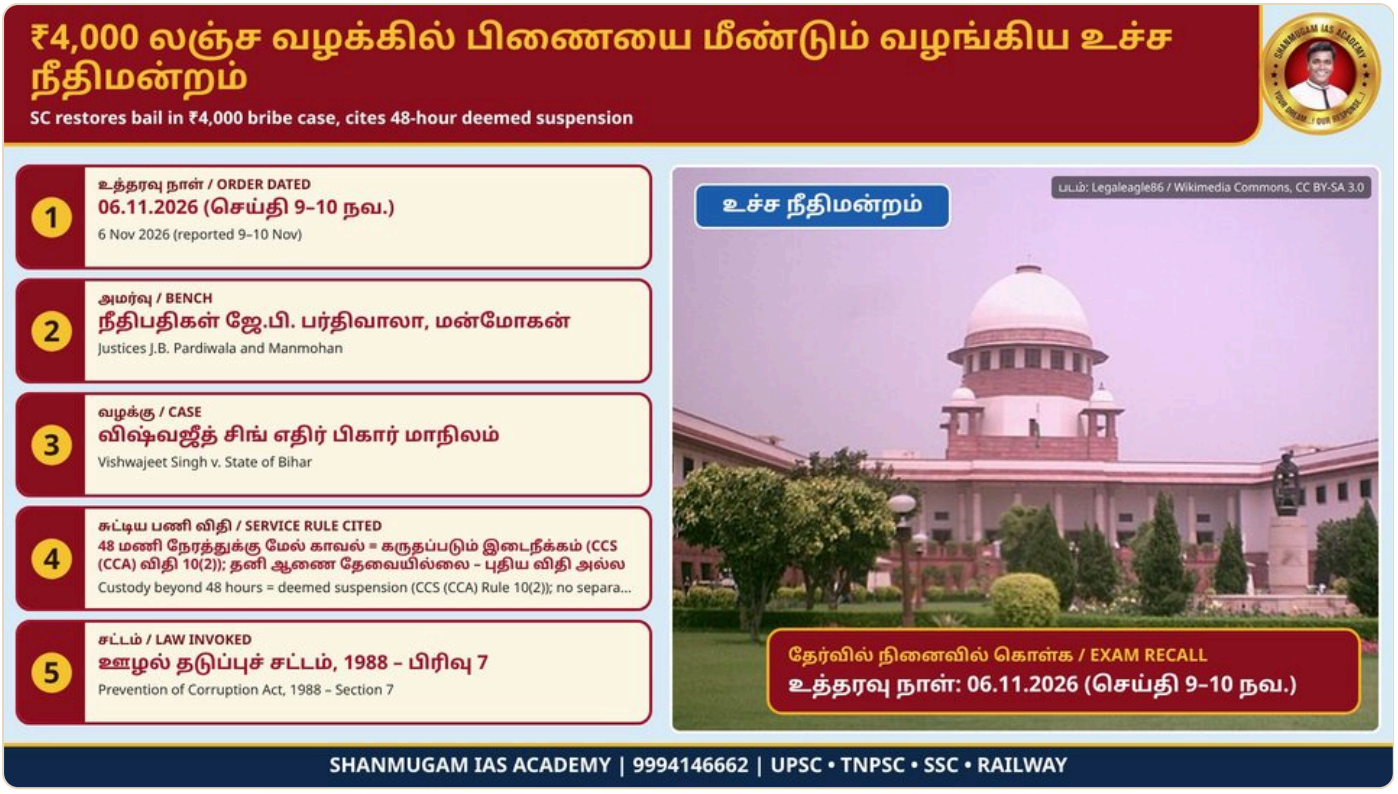
SC restores bail in ₹4,000 bribe case, cites 48-hour deemed suspension

Topics: Polity & Judiciary · UPSC Prelims · TNPSC · SSC · Current Affairs



News

While restoring bail in a ₹4,000 bribe case, the Supreme Court pointed out that under service rules a public servant held in judicial custody for more than 48 hours is 'deemed suspended'; no separate suspension order is needed. A bench of Justices J.B. Pardiwala and Manmohan passed the order on 6 November 2026; it was reported on 9–10 November. The case was Vishwajeet Singh v. State of Bihar. The manager of Sadar Hospital, Samastipur (Bihar) was booked under the Prevention of Corruption Act, 1988 for allegedly demanding a ₹4,000 bribe to clear a person's pending wages of ₹36,421. After about 15 days in judicial custody he got bail from the Sessions Court; nearly a year later the Patna High Court cancelled that bail. The Supreme Court set aside the High Court's order and restored the Sessions Court's bail. The bench said the size of the bribe is not a relevant factor for bail, and that bail is ordinarily granted in such cases unless there are criminal antecedents or very grave allegations. It also asked the Bihar government to look into his reposting to the same hospital and post after his suspension was revoked.

Key facts for the exam

Point	Details
Order dated	6 Nov 2026 (reported 9–10 Nov)

Point	Details
Bench	Justices J.B. Pardiwala and Manmohan
Case	Vishwajeet Singh v. State of Bihar
Service rule cited	Custody beyond 48 hours = deemed suspension (CCS (CCA) Rule 10(2)); no separate order – not a new rule
Law invoked	Prevention of Corruption Act, 1988 – Section 7
Allegation	₹4,000 bribe to release ₹36,421 wages
Outcome	Patna HC order set aside; Sessions Court bail restored
Central rule	CCS (CCA) Rules, 1965 – Rule 10(2)
TN rule	TN Civil Services (D&A) Rules, 1955 – Rule 17(e)(2)

Background

- What 'deemed suspension' means: under Rule 10(2) of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, a government servant detained in custody, on a criminal charge or otherwise, for more than 48 hours is deemed to be suspended from the date of detention. No separate order by the authority is required; the suspension operates by force of the rule. Suspension is not a penalty; it is an interim step that keeps the employee away from duty until the matter is decided, and a subsistence allowance is paid meanwhile.
- Constitutional background: Article 309 empowers laws and rules on recruitment and conditions of service of public servants; Article 310 embodies the 'doctrine of pleasure' – civil servants hold office during the pleasure of the President / Governor. Article 311 limits this power: no one may be dismissed by an authority subordinate to the appointing authority, and no dismissal, removal or reduction in rank without an inquiry in which the charges are made known and a reasonable opportunity to answer is given. But such an inquiry is not needed when action is taken on the ground of conduct that led to conviction on a criminal charge (proviso to Article 311(2)).
- Arrest and rights: under Article 22(2), an arrested person must be produced before the nearest magistrate within 24 hours, excluding travel time, and cannot be held longer without a magistrate's order. So custody beyond 48 hours is usually custody under a court's order. This case reached the Supreme Court as a Special Leave Petition (SLP) under Article 136 against the High Court's order cancelling bail.
- Prevention of Corruption Act, 1988: Section 7 makes it an offence for a public servant to seek or accept undue advantage; the 2018 amendment made bribe-giving a separate offence (Section 8) and required prior government approval before an inquiry (Section 17A). In Ajay Kumar Choudhary v. Union of India (2015), the Supreme Court said suspension should not be prolonged: it should not continue beyond three months if no charge memo is served within that period.

Tamil Nadu link: Tamil Nadu has the same rule for its own employees: under Rule 17(e)(2) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules, 1955, a government servant detained in custody, on a criminal charge or otherwise, for more than 48 hours is deemed to have been suspended. In Tamil Nadu, bribery and corruption cases against State government servants are investigated by the Directorate of Vigilance and Anti-Corruption (DVAC).

Frequently asked questions

What is this news about?

While restoring bail in a ₹4,000 bribe case, the Supreme Court pointed out that under service rules a public servant held in judicial custody for more than 48 hours is 'deemed suspended'; no separate suspension order is needed.

What are the key facts to remember for the exam?

Order dated: 6 Nov 2026 (reported 9–10 Nov); Bench: Justices J.B. Pardiwala and Manmohan; Case: Vishwajeet Singh v. State of Bihar; Service rule cited: Custody beyond 48 hours = deemed suspension (CCS (CCA) Rule 10(2)); no separate order – not a new rule.

What is the background to this news?

What 'deemed suspension' means: under Rule 10(2) of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, a government servant detained in custody, on a criminal charge or otherwise, for more than 48 hours is deemed to be suspended from the date of detention.

Practice questions (with answers)

1. Within how many hours, excluding travel time, must an arrested person be produced before a magistrate under Article 22(2)?

A) 24 hours

B) 48 hours

C) 72 hours

D) 12 hours

Answer: A – Explanation: 24 hours – Article 22(2). 48 hours is the custody limit in service rules that triggers 'deemed suspension'.

2. Which Article allows a Special Leave Petition (SLP) in the Supreme Court against any High Court judgment?

A) Article 32

B) Article 226

C) Article 136

D) Article 143

Answer: C – Explanation: Article 136 – a discretionary power of the Supreme Court (military tribunals excepted). Article 143 – the President's advisory reference.

3. Which Article contains the 'doctrine of pleasure' – civil servants hold office during the pleasure of the President / Governor?

A) Article 309

B) Article 312

C) Article 310

D) Article 315

Answer: C – Explanation: Article 310. Art. 309 – conditions of service; Art. 312 – All India Services; Art. 315 – Union and State Public Service Commissions.

4. Which agency in Tamil Nadu investigates bribery cases against State government servants?

A) CB-CID

B) EOW

C) Q Branch

D) DVAC

Answer: D – Explanation: The Directorate of Vigilance and Anti-Corruption (DVAC) – PC Act cases. EOW – financial frauds; Q Branch – internal-security intelligence.

5. Under Article 311(2), in which situation may a civil servant be dismissed without an inquiry?

A) Criminal conviction

B) Long leave

C) Refusing a transfer

D) Superior's advice

Answer: A – Explanation: Conduct leading to conviction on a criminal charge. The other two exceptions: inquiry not reasonably practicable, and the security of the State.

Sources: LiveLaw; ANI via webindia123; The Daily Pioneer; CCS (CCA) Rules, 1965 (DoPT); Govt of Tamil Nadu – TN Civil Services (D&A) Rules. © Shanmugam IAS Academy.