

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32299 of 2014

Arising Out of PS.Case No. -26 Year- 2012 Thana -C.B.I CASE District- PATNA

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1. Radha Kisto son of Late Narsingh Gope , resident of Mohalla -
Nayatola , Kumhrar , P.S. - Agamkuan , District - Patna and presently
posted as Conservation Assistant , Archaeological Survey of India ,
Kumhrar (Bihar)

.... Petitioner/s

Versus

1. The Union of India Through Cbi, Patna

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chittranjan Sinha, Sr. Advocate
With Mr. Vinay Ranjan

For the Opposite Party/s : Mr. Bipin Kumar Sinha (SC/CBI)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

7 31-03-2015 Heard learned counsel for the petitioner and learned
counsel appearing for CBI.

The petitioner apprehends his arrest in connection
with Special Case No. 02 of 2013 corresponding to RC No.-26(A)
of 2012 registered for the offence under Sections-13(2) read with
13(1) of the P.C. Act.

In course of inquiry, the CBI found that the
petitioner acquired assets disproportionate to the known source of
his income.

The contention on behalf of the petitioner is that at
the time of institution of FIR, CBI disclosed disproportionate
assets of the petitioner, amounting to Rs 42,02000/- but after
investigation, at the time of submission of the charge sheet, the

CBI increased the aforesaid amount to the tune of Rs 99 lacs and odd.

Learned counsel for the petitioner submits that the petitioner explained the acquisition of the aforesaid properties before the CBI officials but they did not pay any heed towards the explanation. He further submits that moreover, the petitioner has also filed several documents along with chart of immovable properties and the aforesaid documents as well as chart clearly explain the acquisition of the properties.

Regard being had to the facts and circumstances of the case as well as submission of the parties; I do not think it proper to extend the privilege of anticipatory bail to the petitioner and accordingly, prayer for anticipatory bail of the petitioner in connection with Special Case No. 02 of 2013 corresponding to RC No.-26(A) of 2012 stands rejected.

However, this order shall not cause any prejudice to the court at the time of consideration of regular bail application of the petitioner.

(Hemant Kumar Srivastava, J)

A.K.V./-

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