

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28690 of 2015

Arising Out of PS.Case No. -74 Year- 2014 Thana -KOTWALI District- MUNGER

Binay Yadav S/o Late Ramasray Yadav R/o Village + P.O. - Mathera, P.S. -
Tarapur, District - Munger.

.... Petitioner/s

Versus

The State of Bihar through Cabinet Vigilance.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Sinha

For the Opposite Party/s : Mr. Ramakant Sharma(L.O.,I/C Vig.)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

6 29-09-2015 Heard learned counsel for the petitioner and
learned Sr. Counsel appearing on behalf of EOU.

The petitioner apprehends his arrest in connection
with Special Case No. 37 of 2014 arising out of Kotwali P.S.
Case No. 74 of 2014 registered for the offences punishable
under Sections 406, 420, 467, 468, 471, 120(B) of the Indian
Penal Code and Section 7, 12, 13, 14, of the P.C. Act.

On the last occasion, the petitioner was directed to
file a supplementary affidavit indicating the extent/amount
which lies with the department for confiscation proceeding.

Learned counsel for the petitioner has filed a
supplementary affidavit today, which indicates and stand
justified by letter no. 1394/30 dated 24.09.2015 which denotes
that a total amount of Rs. 8,36,131/- (Eight lacs thirty six
thousand one hundred and thirty one only) remains available

before the excise department for confiscation. It is further submitted that in addition thereto, a sum of Rs. 1, 66,000/- (one lac sixty six thousand) has already been paid.

Considering the aforesaid submissions, let the petitioner above named, in the event of his arrest or surrender before the Court below within a period of three weeks from the date of receipt/production of a copy of this order, be enlarged 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 Special Judge (Vig-II), Patna in connection with Special Case No. 37 of 2014 arising out of Kotwali P.S. Case No. 74 of 2014, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C.

It is, however, made clear that petitioner shall not resist the confiscation proceedings and the confiscated money shall be subject to the decision in the main case.

(Anjana Mishra, J)

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