

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13190 of 2015

Arising Out of PS.Case No. -2 Year- 2015 Thana -C.B.I CASE District- PATNA

Hemant Kumar Sinha son of Sri Krishna Kant Sinha, Resident of village- Maheshpur, Post- Gehuni, P.S.- Teghra, District- Begusarai and at present resident of Flat No. C/509, Patliputra Jyotipuram, Jagdeo Path More, Bailey Road, Khajpura Police Station- Shastri Nagar, District- Patna

.... Petitioner

Versus

1. The State of Bihar through Cabinet Vigilance null null

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anjani Kumar Sinha, Adv.
For the Opposite Party/s : Mr. Ramakant Sharma (Law Off. Vig)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

8 24-11-2015 Heard Sri Kanhaiya Prasad Singh, learned senior counsel appearing on behalf of the petitioner and Sri Rama Kant Sharma, learned senior counsel appearing on behalf of Vigilance Department.

At the outset of argument Sri Kanhaiya Prasad Singh, learned senior counsel drew my attention to the order dated 30.06.2015 passed in this case by which the Vigilance Department was directed to make investigation with regard to the objection filed by the petitioner vide Annexure 2 to this bail petition that the property shown to be acquired from unknown sources of income of the petitioner do not belong to the petitioner. On such, Sri Rama Kant Sharma, learned counsel for the Vigilance Department

submits that the majority of the officers of the Vigilance Department are engaged in investigation of illegal appointment of teachers. Sri Sharma further submitted that the objection of the petitioner is yet to be investigated thoroughly and the Vigilance Department has not yet submitted charge-sheet. The department is not contemplating to arrest the petitioner till submission of the charge-sheet. The interim order of taking no coercive step is passed vide order dated 31.03.2015.

Considering the submission of the learned Counsel for the Vigilance Department, this anticipatory bail petition is disposed of with a direction that the petitioner shall not be arrested till the submission of the charge-sheet. After submission of charge-sheet the petitioner may renew his prayer for bail, if the Vigilance Department found disproportionate property of the petitioner.

(Prabhat Kumar Jha, J.)

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