

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19934 of 2016

Arising Out of PS.Case No. -7 Year- 2013 Thana -ECONOMIC OFFENCES, BIHAR District-
PATNA

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1. Asha Devi W/o Nageshwar Sharma, R/o Village- Ratanpur, P.S.-
Daudpur, District- Aurangabad, at present R/o Radhika Niwas, Road No. 2,
Adarsh Vihar Colony, Rukanpura, P.S.- Rupaspur, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar through Economic Offences Unit, Govt. of Bihar,
Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. B. P. Pandey, Sr. Advocate

For the E.O.U. : Mr. Akhileshwar Pd. Singh (Sr. Advocate)
Mr. Rajeev Ranjan Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 05-05-2016 Heard learned Senior counsels for the petitioner and the

E.O.U.

The petitioner is apprehending arrest in a case registered

for the offences punishable under Sections 109, 120B of the Indian

Penal Code and under sections 13(2)/ 13(1)(e) of the Prevention of

Corruption Act.

The husband of petitioner, Nageshwar Sharma,

Executive Engineer, P.H.E.D., Samastipur was charged for

acquisition of disproportionate assets worth Rs. 4,20,61,036/-

disproportionate to his known sources of income. The property has

been acquired by the public servant in his name, in the name of his

wife, his father and children. The petitioner is wife of the public servant.

It is submitted by the learned Senior counsel for the petitioner that the petitioner purchased the property through his streedhan. Moreover, the investigation has already been concluded and petitioner has been charged under sections 109, 120B of the IPC.

It is submitted by Sri Akhileshwar Prasad Singh, learned Senior counsel appearing for the E.O.U., that the public servant, Nageshwar Sharma, purchased property in the name of petitioner also and in spite of notice issued to the petitioner, she failed to explain the acquisition of property in her name.

Considering the fact that petitioner is a lady, thrust of accusation is against the husband of petitioner and the investigation has already been concluded, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Vigilance-I, Patna in connection with Economic Offence P.S. Case No. 07 of 2013 subject to the conditions as laid down under Section 438(2)

Cr.P.C.

The learned court below shall be at liberty to cancel the bail bonds of the petitioner in case the petitioner defaults without any reasonable cause on three consecutive occasions.

(Dinesh Kumar Singh, J)

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