

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48469 of 2015

Arising Out of PS.Case No. -26(A) Year- 2013 Thana -C.B.I CASE District- PATNA

Rakesh Ranjan Sinha Son of Late Kaushal Kishore Prasad Sinha Resident
of Flat No. 301, C.S.D. Apartment, Link Road, Budha Colony, P.S. Budh
Colony, District - Patna

.... Petitioner

Versus

The State of Bihar through C.B.I.

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Suraj Narain Pd. Sinha, Sr.Adv.
Mr. Naresh Chandra Verma, Adv.

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

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

9 04-04-2016 Heard learned counsel, appearing on behalf of the
petitioner, and the learned Standing counsel, appearing on behalf
of the C.B.I.

This application for grant of anticipatory bail arises out
of Special Case No. 1/2014, arising out of R.C.26(A)/2013,
disclosing offences under section 13(2) read with 13(1)(e) of the
Prevention of Corruption Act.

The petitioner holds the post of Superintendent in Central
Excise and presently posted in the department of Customs. The
case has been instituted against him with the allegation that he is
in possession the assets disproportionate to his known sources of
income.

Learned Senior counsel, appearing on behalf of the



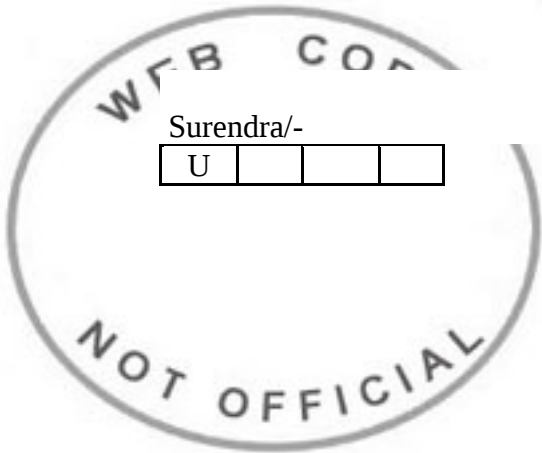
petitioner, submits that since charge sheet has already been submitted, no purpose would be served now if he is taken into custody. He further submits that there is no allegation that the petitioner ever attempted to influence the investigation. It has further been submitted that it is purely a dispute over valuation of assets of the petitioner and income earned by him. The valuation of the assets of the petitioner done by the C.B.I. is incorrect and that the petitioner is in a position to explain the source of income and acquisition of assets in his possession, Mr. Sinha, learned Senior counsel submits.

Learned counsel, appearing on behalf of the Central Bureau of Investigation, has opposed the prayer for anticipatory bail and has submitted that the petitioner could not explain the assets in course of investigation.

Be that as it may, in view of the fact that the charge sheet has been submitted and the allegation against the petitioner is of being in possession the assets disproportionate to his known sources of income, which he can explain during the trial, this application is allowed.

The provisional bail granted to the petitioner vide order dated 29.2.2016 in connection with Special case No. 1/2014 arising out of R.C. 26(A)/2013 pending in the court of Special

Judge, C.B.I. II, Patna is, hereby confirmed.



Surendra/-

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(Chakradhari Sharan Singh, J)