

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58539 of 2018

Arising Out of PS.Case No. -5 Year- 2016 Thana -ECONOMIC OFFENCES, BIHAR District -
PATNA

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ANTIKA KUMARI@ANKITA KUMARI W/o Shyam Babu Singh, R/o
Mohalla- Sri Ram Nagar Colony, P.S.- Rupaspur, District- Patna.

.... Petitioner/s

Versus

The State of Bihar through the Additional Superintendent of Police-cum-
Incharge of Economic offence Wing, Bihar, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Shakir Ahmad

For the Opposite Party/s : Mr. V.N.P. Sinha (E.O.U.)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 20-09-2018 Heard both sides.

The petitioner seeks bail in Special Case No.26 of
2016 arising out of Economic Offence P.S. Case No.5 of 2016
registered under Section 109 of the Indian Penal Code and under
Section 13(2) read with Section 13(1)(e) of the Prevention of
Corruption Act.

Learned counsel for the petitioner submits that
Doranda P.S. Case no.88 of 2015 was registered under Sections
403, 406, 420, 408, 504/34 of Indian Penal Code. The complainant
of Doranda P.S. Case No.88 of 2015 also filed complaint before
the E.O.U., Patna and on the basis of which, Economic Offence
P.S. Case No.6 of 2015 was registered. The petitioner filed case



for quashing of F.I.R. of Economic Offence P.S. Case no.6 of 2015 and this Court vide order passed in Cr.W.J.C. No.730 of 2015 quashed the F.I.R. of Economic Offence P.S. Case No.6 of 2015 with liberty to the E.O.U. to lodge fresh case if the petitioner and her husband was found to have amassed property disproportionate to their own source of income. Thereafter, present case was lodged.

Learned counsel for the petitioner submits that husband of the petitioner is alleged to have amassed property more than Rs.67 lacs and odd disproportionate to the known source of income and the husband of the petitioner acquired property in the name of the petitioner. It is submitted that husband of the petitioner has already been enlarged on bail. Petitioner is in jail since 23.03.2018, although, the petitioner was arrested on 21.02.2018 in another case.

Mr. Vishwanath Prasad Sinha, learned senior counsel appearing on behalf of E.O.U. however opposed the prayer for bail and submitted that the husband of the petitioner acquired more than Rs.1 crore property disproportionate to the source of known income.

Considering the facts that the petitioner is the wife of Shyam Babu Singh who is alleged to have amassed property worth



more than Rs.1 crore disproportionate to his known source of income and acquired property in the name of the petitioner but the petitioner is in jail for about six months and the fact that chargesheet has already been submitted and husband of the petitioner has already been enlarged on bail, the petitioner, above named, is directed to 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 learned Special Judge, Vigilance-1st, Patna in connection with Special Case No.26 of 2016 arising out of Economic Offence P.S. Case No.5 of 2016.

(Prabhat Kumar Jha, J)

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