

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40490 of 2018

Arising Out of PS.Case No. -1 Year- 2015 Thana -ECONOMIC OFFENCES, BIHAR District -
PATNA

- =====
1. Chandra Bhushan Singh, son of Late Ram Balak Singh, resident of Village- Apshadh, P.S.- Warsaliganj, District- Nawada.
 2. Lal Bahadur son of Ramanand Prasad Singh, R/o Thera, Jalalpur, P.S.- Warsaliganj, District- Nawada.
 3. Krishna Prasad, son of Late Gopi Saw, R/o Nadriganj Road, Gadhpur Nawada, P.S.- Nawada, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Inspector General, Economic Offence Unit Bihar, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoranjan, Advocate.
For the Economic Offence Unit : Mr. Vishwanath Pd. Sinha, Adv.
For the State : Mr. Shailendra Kumar -1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 16-07-2018 Heard learned counsel for the petitioners, learned
counsel for the Economic Offence Unit and the State.

The petitioners apprehend their arrest in **Economic Offences P.S. Case No. 01 of 2015** instituted for the offence under Sections 420, 467, 468, 471, 409, 120(B) of the Indian Penal Code, Sections 81(1) (e), 81(2) and 81(4) of Bihar Valued Tax Act, 2005.

In the written report it is alleged that some persons were selling coal in the State of Bihar on half rate in collusion with the business man of Bihar by creating the facility of D-IX. It



is further alleged that 461 purchasers have purchased coal from Tata Steel Ltd. (Coal Division), Ghatotand, Ramgarh, Jharkhand. Builty was prepared in the name of M/s. Rashmi Trading Company, M/s. Dakhineshwari Sales, Ramgarh and M/s. Bhadrakali Trading Company, Ramgarh. The false bill mentioning half price by creating D-IX form, imported coal from Jharkhand to Bihar. The total 3486 transactions were made. It is alleged that in the aforesaid transactions, total price of coal was Rs. 30,18,27,846.90 but under conspiracy by making manipulation in document, the price was under valued and was shown as Rs. 17,48,54,884.20. In the aforesaid transaction total 714 trucks were involved and collectively all have put the revenue loss of Rs. 80,91,648/- to the Government of Bihar .

Learned counsel for the petitioners has submitted that there is no any specific allegation against the petitioners. Name of petitioners have come during investigation. It has further been submitted that other co-accused persons have already been granted anticipatory bail by this Court vide orders dated 11.10.2017, 07.12.2017, 18.12.2017 and 23.01.2018 passed in Cr. Misc. 46961 of 2017, 46970 of 2017, 39052 of 2017 and 40019 of 2017 respectively.

Considering the facts and circumstances of the case,



prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Economic Offences P.S. Case No. 01 of 2015**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned **Sub Divisional Judicial Magistrate, Patna**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bond and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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