

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44841 of 2018

Arising Out of PS.Case No. -20 Year- 2014 Thana -ECONOMIC OFFENCES, BIHAR District-
PATNA

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1. Vidya Nand Jha @ Jay Nand Jha @ Dayanand Jha S/o Late Parmeshwar Jha @ Kutkut Jha, R/o Vill.- Bedaul, P.S.- Nanpur, District- Sitamarhi Permanent R/o Vill.- Akharaghat Muzaffarpur, P.S.- Akharaghat, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Economic Offence Unit.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Usha Kumari Singh
Mr. Anil Kumar Sharma

For the Opposite Party/s : Mr. Vijay Anand
Mr. Amit Kumar Rakesh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 19-09-2018 Heard learned counsel appearing on behalf of the petitioner and Mr. Akhileshwar Prasad Singh, learned senior counsel appearing on behalf of Economic Offence Unit, Bihar.

The petitioner seeks bail in Special Case No.27 of 2014, arising out of Economic Offence P.S. Case No.20 of 2014 registered under Sections 414, 420, 467, 468, 471, 472 and 34 of the Indian Penal Code and under Section 20 (B)(1), 23, 29 of the N.D.P.S. Act.

Learned counsel for the petitioner submits that this is the fourth attempt of the petitioner for grant of bail in this court. On



the earlier occasion, the prayer for bail of the petitioner was rejected on 07.02.2018 with a direction to the trial court to conclude the trial within three months from the next date fixed in the case and the Economic Offence Unit was directed to ensure the attendance of the witnesses. The trial court was also directed to report this Court when the S.P., E.O.U. fails to produce any witness but till date only five witnesses out of 13 witnesses have been examined. Other accused persons, namely, Rajeshwar Rai and Pappu Kumar Singh have been granted bail by a Bench of this Court in Cr. Misc. No.2577 of 2018 and Cr. Misc. No.2602 of 2018. Suresh Kumar @ Suresh Rai has also been granted bail vide order passed in Cr. Misc. No.43283 of 2017. Petitioner is in jail since 30.03.2014. Petitioner has already remained in jail for about 4 ½ years.

Mr. Akhileshwar Prasad Singh, learned senior counsel appearing on behalf of the E.O.U., Bihar submitted that trial is going on but could not be able to explain that why the trial has not been concluded in spite of the direction given by this Court vide order dated 07.02.2018 passed in Cr. Misc. No.46636 of 2017.

Taking into consideration the facts aforesaid and the fact that the petitioner is in jail for about 4 ½ years and other similarly situated accused persons have already been granted 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-cum-Additional Sessions Judge 1st, Patna in connection with Special Case No.27 of 2014, arising out of Economic Offence P.S. Case No.20 of 2014, subject to the condition that one of the bailors shall be Government servant.

(Prabhat Kumar Jha, J)

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