

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23724 of 2018

Arising Out of PS.Case No. -4 Year- 2014 Thana -ECONOMIC OFFENCES, BIHAR District -
PATNA

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1. Dhananjay Kumar, son of late Rupdeo Ram, resident of Mohalla-
Panchwati Colony, P.S.- Beur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Economic Offence Unit through the IG, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh

For EOU : Mr. Akhileshwar Pd. Singh, Sr. Advocate with
Mr. Vijay Anand, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5/ 26-06-2018

Heard learned counsel for the petitioner and learned

APP for the State as well as counsel for the EOU.

Petitioner apprehends his arrest in **Special Case No.14 of 2014 arising out of Economic Offence Unit P.S. Case No.04 of 2014** instituted for the offence under Section(s) 109, 120-B Indian Penal Code and Section 13(2), 13(1)(e) of the Prevention of Corruption Act.

Counsel for the petitioner has submitted that he was posted as Clerk under Kanhaiya Kumar and had no knowledge about the illegal act of the co-accused Kanhaiya Kumar. It has further been submitted that the petitioner has unblemished carrier. There is no any complaint against him of acquiring



disproportionate assets to his known income. He is not named in the written report. His name has come during investigation that he issued cheque of Rs.6,75,000/- in favour of Kanhaiya Kumar and his wife, Sneha Raj, after taking cash from them. Counsel for the petitioner has further submitted that the petitioner had no knowledge about the illegal act of Kanhaiya Kumar and under good faith being subordinate of Kanhaiya Kumar, he had issued cheque after receiving cash amount.

Counsel for the EOU has submitted that it has come in the case diary that the petitioner had taken cash amount from Kanhaiya Kumar and issued cheque in lieu of the amount.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with **Special Case No.14 of 2014 arising out of Economic Offence Unit P.S. Case No.04 of 2014**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Special Judge, Vigilance, 1st, 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) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers 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 petitioner.

Case diary is being returned by the counsel for the Economic Offence Unit.

(Sanjay Priya, J)

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