

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.58061 of 2018

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

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Mohan Thakur, S/o Late Pratap Thakur, R/o Dangwar, P.S.- Hussainabad,
District- Palamu, Jharkhand. Petitioner.

Versus

The State through Economic offences Unit. Opposite Party.

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Appearance :

For the Petitioner/s : Mr. N.K. Agarwal, Sr. Advocate
Mr. Saket Tiwary, Advocate
Mr. Saket Gupta, Advocate

For the EOU : Mrs. Soni Srivastava, Advocate

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 20-09-2018 Heard learned counsel for the petitioner and learned
counsel for Economic Offence Unit.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 13(2) read
with Section 13(1)(e) of the Prevention of Corruption Act.

The prosecution case got initiated with the report of
Officer-in-Charge of Economic Offence P.S., Patna to the effect
that co-accused Kanhaiya Kumar being Assistant Director,
Information and Public Information Officer is having
disproportionate assets to his known sources of income,
concerning which his income has been calculated during check
period between 30.02.2002 to 31.12.2013 to the tune of
Rs.1,19,96,650/-. It is alleged against the petitioner and co-
accused Navneet Kumar that they gave cheque of Rs.2,50,000/-



each to Kanhaiya Kumar on receiving cash from him whereas co-accused Dhananjay Kumar gave cheque of Rs.6,75,000/- to him.

It is submitted by learned counsel for the petitioner that, in fact, the petitioner is Assistant in the office of Kanhaiya Kumar and the petitioner was not aware about the disproportionate assets of Kanhaiya Kumar. Moreover, the petitioner is not named in the First Information Report, disproportionate assets case has not been lodged against him. Considering the issue involved and thrust of accusation against Kanhaiya Kumar a similarly situated co-accused Dhananjay Kumar has been granted anticipatory bail by a co-ordinate Bench of this Court vide Cr. Misc. No. 23724 of 2018.

Mrs. Soni Srivastava, learned counsel appearing for the Economic Offence Unit submits that the petitioner being the Assistant in the office of Kanhaiya Kumar against whom disproportionate assets case has been lodged, hence, he is also involved in the offence committed by Kanhaiya Kumar.

Considering the fact that thrust of accusation is against Kanhaiya Kumar and that similarly situated co-accused has been granted anticipatory bail, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender



before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Vigilance Court 1st, Patna in connection with Economic Offence Unit Case No. 04 of 2014 (Special Case No. 14 of 2014), subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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