

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14404 of 2019

Arising Out of PS. Case No.-11 Year-2018 Thana- ECONOMIC OFFENCES, BIHAR
District- Patna

=====

Devendra Kumar, Son of Late Bajrangi Singh, Resident of Village - Kaswan,
P.S.- Parasbigha, District - Jehanabad at present Panchayat Secretary
Makdumpur Block, District - Jehanabad

... .. Petitioner/s

Versus

The State of Bihar Through Superintendent of Police, Economic Offence
Unit, Patna Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Roy, Advocate
For the Opposite Party/s : Mr. Akhileshwar Prasad Singh, Senior Advocate
Mr. Vijay Anand, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

8 18-07-2019 This is an application for grant of anticipatory bail in
connection with Special Case No. 40 of 2018, arising out of
Economic Offence P.S. Case No. 11 of 2018, disclosing offences
under Sections 120B, 109 of IPC and Section 13(2) read with Section
13(1) (e) of P.C. Act.

Allegation as per the case lodged by the Economic
Offence Unit is that petitioner was found having disproportionate
income from known sources of more than Rs. 1,32, 20450/-. It
further appears that the same has been increased to Rs.1,83,67845/-
during the investigation and there may be a further increase.

Submission of the learned counsel for the petitioner is that
while counting the income, three land taken by the petitioner of
Rs.49,00,000/- has also been counted and apart from that house at



Jehanabad is a joint house and only half share has come in his share, but it has also been counted in the income of the petitioner. It has also been submitted that income of his wife has also been counted to his income. Further submission is that valuation is also excessive.

Learned senior counsel appearing on behalf of Economic Offence Unit, who has opposed the prayer for anticipatory bail on the ground that investigation with respect to the claim of the house of land as joint property have also examined and it transpires that same has been purchased after the petitioner came in service and house was constructed over that house and there is nothing available to show that has been constructed from the income of the mother and on investigation total assets of the petitioner was found of Rs. 2, 26, 56,530/-, which is 95.87% in excess from his income.

Having heard both sides, in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner.

Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

sunil shukla/-

U		T	
---	--	---	--

