

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31305 of 2019

Arising Out of PS. Case No.-5 Year-2014 Thana- ECONOMIC OFFENCES, BIHAR
District- Patna

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RAM PRAWESH PRASAD S/o Murat Prasad Resident of 303, Gayatri Complex, Friends Colony, Road No.-6, Ashiana Nagar, P.O. and P.S.- Rajeev Nagar, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Economic Office Wing through its Superintendent of Police, Bihar at Patna. Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Prakash
For the Opposite Party/s : Mr.Md. Ataur Rahman

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

8 24-10-2019 Petitioner seeks bail in anticipation of his arrest in connection with Economic Offence Police Station Case No.05 of 2014 registered for the offences punishable under Sections 13(2) read with Section 13(1)(e) of the Prevention of Corruption Act, 1988.

Petitioner is accused in connection with disproportionate asset to the known source of income and has been found in possession of disproportionate assets worth Rs.50,00,000/- (Rupees Fifty Lacs), which after investigation has come to more than Rs.60,00,000/- (Rupees Sixty Lacs).

Submission of learned counsel for the petitioner is that the calculation is made on wrong assessment as the amount



of Rs.20,00,000/- (Rupees Twenty Lacs) has been wrongly assessed as his total share capital amount though it is Rs.2,00,000/- (Rupees Two Lacs) which is shared among three partners. It is further submitted that petitioner had taken a vehicle on loan but after sometime the loan has become a NPA and the flat was also taken on loan, which has also been calculated in the income by the Economic Offence Unit. It has also been submitted that petitioner is a heart patient and now charge sheet has also been submitted.

On the other hand, learned counsel appearing on behalf of the the Economic Offence Unit has opposed the prayer for anticipatory bail on the ground that amount of Rs.20,00,000/- (Rupees Twenty Lacs) which has been shown is disproportionate is incorrect and as a matter of fact only Rs.2,00,000/- (Rupees Two Lacs) has been considered and the amount of loan which has already been paid by the petitioner, has been considered and now after considering the same the amount has increased to more than Rs.60,00,000/- (Rupees Sixty Lacs) as disproportionate asset.

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



surrenders and pray for regular bail, the same shall be considered on its own merit and above submission as well as also considering his statement that he is suffering from heart disease.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

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