

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71129 of 2019

In
CRIMINAL MISCELLANEOUS No.21667 of 2019

Arising Out of PS. Case No.-78 Year-2017 Thana- SALAIYA District- Aurangabad

CHANDAN KUMAR RANJAN Son of Sri Suraj Prasad Rajak @ Suraj
Baitha, resident of Village- Bundi Bigha, Post- Pirtu, Police Station - Salaiya,
District - Aurangabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR THROUGH THE SUPERINTENDENT OF
POLICE ECONOMIC OFFENCE UNIT BIHAR, PATNA Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Amit Kumar, Advocate Mr.Sanjay Kumar Singh
For the Opposite Party/s :		Mr.V.N.P.Sinha(EOU) Ms. Soni Srivastava, Advocate

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 07-11-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the EOU.

The present modification application has been preferred by the petitioner, as subsequent to the order dated 22.10.2019 passed in Cr. Misc. No. 21667 of 2019, the petitioner had approached the Court of Special Judge, Vigilance – I, Patna for filing his bail bonds and for pledging the original documents of the properties as had been directed by this Court in its order dated 22.10.2019.

Learned counsel for the modification-petitioner submits that though this petitioner was willing to deposit the



original documents of the property which he had undertaken to pledge before this Court, the Special Judge, Vigilance – I, Patna has refused to accept the same and has verbally directed him to approach the District Magistrate, Aurangabad to pledge the documents before him. This clearly was not the spirit of the order and the documents/original sale deed which he is purported to have purchased out of government money allegedly misappropriated by him and the same documents were to be deposited before the Court itself. This aspect of the matter need not have involved any controversy. It was a simple case where the petitioner ought to have approached with the original documents/sale deeds for pledging the same before the Court itself and not any other authorities. It is, accordingly, clarified that the petitioner will once again approach the Court of Special Judge, Vigilance – I, Patna with the original sale deed/documents for pledging the same before the court itself.

Learned counsel for the petitioner, however, submits that the original sale deed of one land which is in his own name and which have been purchased in the year 2008 is lying with a person with whom he had some dealings. Certified copy of the said documents has been annexed in the modification application as Annexure-2 series bearing Deed No. 11137 dated



21.10.2008. However, the same is not available with the petitioner and he undertakes to present the same soon after his release from custody.

In view of such submissions, the petitioner for the said purposes will be released only provisionally subject to his making available and pledging the original documents which is referred herein above. It is, therefore, made clear that the Court will issue orders for his release only provisionally for a period of two months and from a period of two months from the date of his release, the petitioner must deposit the documents in original before the Court, failing which, it shall be open to the Court of Special Judge, Vigilance – I, Patna to take appropriate action for cancellation of the order passed by this Court.

With the aforementioned observations/directions, the present modification application stands disposed off and shall form part of the earlier order.

(Anjana Mishra, J)

Jagdish/-

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

