

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8244 of 2020

Arising Out of PS. Case No.-579 Year-2019 Thana- RAJIVNAGAR District- Patna

RENU DEVI @ RENU KUMARI Wife of Arvind Kumar Resident of Flat No.308, Haricharan Residential, Nandanpuri, Ambedkar Path, P.O-Rajeev Nagar, Police Station-Rajeev Nagar and District-Patna.

... .. Petitioner

Versus

1. The State of Bihar Bihar
2. Vigilance Department through its S.P., Bihar, Patna. Patna.

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. P.K.Sahi, Sr. Advocate Mr. Manoj Kumar No2
For the State	:	Ms. Pushpa Sinha
For the Vigilance	:	Mr. Arvind Kumar

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 28-02-2020 Heard learned Counsel for the petitioner and the learned APP for the State as also the learned Special PP appearing on behalf of Department of Vigilance.

Petitioner apprehend arrest in Rajeev Nagar PS Case No. 579 of 2019 registered under Sections 477, 201, 204 IPC, Section 13 of the Indian Coins Act, 2011.

The brief background leading to petitioner's apprehension of arrest is that Flat No. 301, occupied by the petitioner's husband, was raided on the allegation that he was taking some bribe. The husband has disclosed that the wife was staying in another flat. It is from that flat that the Vigilance Department has recovered some burnt documents and Indian currency. Alleging destruction of evidence by the petitioner (wife of the government servant) a separate police case has been lodged leading to the petitioner's apprehension of arrest.

Learned Senior Counsel appearing for the petitioner submitted that whatever was to be recovered from the flat in question



has already been recovered, though he seriously disputes the recovery. It is his submission that putting the petitioner behind the bars would serve no useful purpose and that the petitioner would be cooperating with the investigation and the proceedings in the Rajiv Nagar PS Case No. 579 of 2019. It is further submitted that the petitioner has no criminal antecedent.

Learned APP and the Special PP for the Vigilance Department have opposed the prayer for bail. They have submitted in unanimity that the petitioner though may not be directly accused of accepting bribe but has resorted to destruction of evidence and currency notes. All these issues are to be investigated.

The authorities should therefore proceed expeditiously. It is needless to state that the petitioner would be under legal obligation to fully cooperate in the investigation and proceedings in Court.

This Court is inclined to accept the submission on behalf of the petitioner. The prayer is allowed.

In the event of arrest or surrender before the court below within four weeks from today, let the petitioners above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sub Judge IIIrd -cum ACJM, Patna in Rajeev Nagar PS Case No. 579 of 2019 subject to all conditions as laid down in Section 438(2) of the Criminal Procedure Code as also subject to the following conditions:-

(I) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well



represented on each date in the trial and if he fails
to do so on two consecutive dates, his bail will be
liable to the cancelled.

(Madhuresh Prasad, J)

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