

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30635 of 2021

Arising Out of PS. Case No.-6 Year-2017 Thana- VIGILANCE District- Patna

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SRI ALOK KUMAR @ ALOK KUMAR Son of Late Ramadhar Prasad Singh Special Land Acquisition Officer, Jamui, Resident of Riding Road, Bihar Veterinary College, Sheikhpura, P.S. - Hawai Adda, District - Patna, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Station House Officer, Vigilance Investigation Bureau 6, Circular Road, Patna, Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr.Manish Kumar No. 13, Advocate
For the State	:	Mr.Pramod Kumar Pandey, APP
For the Vigilance	:	Mr.Arvind Kumar, Law Officer

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-12-2021 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the vigilance.

Counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of eight weeks.

The petitioner is apprehending his arrest in connection with Special case No.04 of 2017 corresponding to Vigilance P.S. case No.06 of 2017 registered under Sections 13(2) read with 13(i)(e) of Prevention of Corruption Act, 1988.

Allegation is that the petitioner has disproportionate assets of Rs.5.98 crores.



It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been made accused due to mistake of fact. Charge sheet has already been submitted in this case. The allegation is of accumulating disproportionate assets. The petitioner was Land Acquisition Officer. The petitioner claims that there is miscalculation being made on the part of the Vigilance. The income of his mother, who gets the family pension of her husband, has also been calculated in the income of the petitioner and the retiral benefits received by his mother has also been added in the income of this petitioner. Further Istri Dhan of his wife has also been added in the income of this petitioner. It is further submitted that the petitioner is ready to deposit an amount of Rs.5,00,000/- (Five lacs) in the court below, which shall be subject to the final disposal of the case. It is further submitted that the petitioner shall co-operate during the trial.

On behalf of the State and learned counsel for the vigilance, it is submitted that the petitioner is named in the complaint case/F.I.R. The petitioner is involved in accumulating disproportionate assets.



Considering the facts and circumstances of the case, the petitioner, above named, is directed to deposit an amount of Rs.5,00,000/- (Five lacs) in the court below, which shall be subject to the final disposal of the case. On doing so, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge III-cum-Special Judge, Vigilance, Patna in connection with Special case No.04 of 2017 corresponding to Vigilance P.S. case No.06 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The petitioner is directed to co-operate during the trial. If the petitioner fails to co-operate during the trial, the court below will be at liberty to cancel the bail bond of the petitioner.

(Sudhir Singh, J)

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