

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No. 32235 of 2020**

Arising Out of PS Case No.-95 Year-2016 Thana- VIGILANCE District- Patna

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Anand Kumar, aged about 54 years, Male, Son of Late Braj Bhushan Prasad,  
District Welfare Officer, Vaishali (Now dismissed from service) Resident of  
Village - Belaur, P.S.- Udwantnagar, District - Bhojpur, at present Gokul Path,  
Lohianagar, PS- Rupaspur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar through Vigilance Investigation Bureau, Patna.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Advocate with  
Mr. Anuj Kumar, Advocate  
For the Vigilance : Mr. Arvind Kumar, Special PP

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN**  
**AMANULLAH**

**ORAL JUDGMENT**

**Date : 29-01-2021**

Heard Mr. Yogesh Chandra Verma, learned senior  
counsel along with Mr. Anuj Kumar, learned counsel for the  
petitioner and Mr. Arvind Kumar, learned Special PP for the  
Vigilance Investigation Bureau (hereinafter referred to as the  
'Vigilance')

2. The petitioner is in custody in connection with  
Vigilance PS Case No. 95 of 2016, Special Case No. 53 of 2018



dated 23.09.2016, instituted under Section 13(2) read with Section 13(1)(c) of the Prevention of Corruption Act, 1988.

3. The allegation against the petitioner is that by misusing his official authority, he had acquired assets disproportionate to his known sources of income. For this, while working on the post of District Welfare Officer, Vaishali, he has been ultimately dismissed from service.

4. Learned counsel for the petitioner submitted that after entire computation, the prosecution has been able to come up with a case that the petitioner has disproportionate assets to the tune of about Rs. 2 crores. It was submitted that the petitioner has sufficient documents to explain and show that it is not disproportionate. However, learned counsel submitted that the petitioner himself surrendered before the police on 08.02.2020 and now when the charge-sheet has been submitted and the entire documents are with the prosecution and before the Court, there being uncertainty in the time frame of the trial, the prayer for bail to the petitioner be considered.

5. Learned counsel for the Vigilance fairly stated that the Court may consider such prayer subject to charges being framed as despite the charge-sheet being submitted in the year



2018, even charges have not been framed, which is hampering the initiation of trial itself.

6. At this juncture, learned counsel for the petitioner submitted that he will co-operate in framing of the charges and shall not create any obstacle in the same.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the charges be framed against the petitioner on the next appointed date, which the Court has been informed is fixed for 1<sup>st</sup> of February, 2021, or immediately thereafter, if for some reason on the next date it is not done.

8. Upon charges being framed, the petitioner shall be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Vigilance-1st, Patna in Vigilance PS Case No. 95 of 2016, Special Case No. 53 of 2018 subject to the conditions (i) that one of the bailors shall be a close relative of the petitioner, and (ii) that the petitioner shall cooperate in the trial and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall lead to cancellation of his bail bonds.



9. The application stands disposed off in the  
aforementioned terms.

**(Ahsanuddin Amanullah, J.)**

P. Kumar

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