

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31615 of 2021

Arising Out of PS. Case No.-4 Year-2014 Thana- VIGILANCE District- Patna

=====

SUREKHA TIWARY Wife of Sri Digambar Prasad Tiwary Resident of Road No.-3, Mohalla- Indira Nagar, Postal Park, P.S.- Jakkanpur, District- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Station House Officer, Special Vigilance Unit Police Station- 5, Daroga Rai Path. Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Y.V.Giri, Sr.Adv.
Mr. Rohit Kumar
Mr.Manish Kumar No 13

For the Opposite Party/s : Mr.Yogendra Kumar Singh,APP
Ms.Archana Palkar Khopde,Adv.

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 20-06-2022 Heard Sri Y.V.Giri, learned senior counsel appearing on behalf of petitioner, learned Addl. Public Prosecutor as well as Ms. Archana Palkar Khopde, learned counsel for the Vigilance Department.

Petitioner seeks anticipatory bail in connection with Patna Special Vigilance Unit (S.V.U.) P.S. Case No. 04 of 2014, corresponding to Special Case No. 83 of 2014, instituted for the offences under Section 13(2) r/w 13(1)(e) of Prevention of Corruption Act.

Petitioner is wife of Digambar Prasad Tiwary, an



officer in the Commercial Taxes Department, who was made an accused in a case for amassing assets disproportionate to his known source of income.

It is submitted on behalf of petitioner that petitioner is not named in the F.I.R., but later on, in the chargesheet, name of petitioner has surfaced for having abetted her husband (Digambar Prasad Tiwary) in amassing such property, which is way more than his known source of income. It is further submitted that save & except the fact that certain property stands in the name of petitioner, there is nothing against her. Petitioner has got clean antecedent.

However, learned counsel for the Vigilance Department vehemently opposes the prayer for anticipatory bail and submits that though, in the F.I.R., the alleged disproportionate amount is Rs. 43,41,095/-, but after investigation, the said amount was found to be Rs. 1.27 crore.

Considering the nature of accusation and the fact that petitioner is daughter-in-law of Digambar Prasad Tiwary, the provisional bail, granted to the petitioner vide order dated 19.01.2022 passed by a coordinate Bench of this Court, is hereby confirmed.

The petition is allowed.



The petitioner shall remain on same bail-bond.

(Prabhat Kumar Singh, J)

anay/-

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

