

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46844 of 2021

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

1. Ramji Singh, aged about 56 years, Male, S/o Late Janeshwar Singh, Resident of Mohalla- Sheikhpure Police Station- Hawaiadda, District- Patna.
2. Smt Renu Devi, aged about 52 years, Female, W/o Ramji Singh, Resident of Mohalla- Shikhpure, Police Station- Hawaiadda, District- Patna.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : M/S. Vikramdeo Singh and Uday Kumar,
Advocates

For the Opposite Party : Mr. Arvind Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 04-01-2022 Due to the third wave of COVID-19 Pandemic, the matter is being taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioners and learned A.P.P. for the State through Virtual mode.

Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of four weeks after restoration of normalcy.

The petitioners are apprehending their arrest in connection with Special Case No. 04/2017, arising out of Vigilance Case No. 06/2017 for the offence registered under Sections 13(2) read with Sections 13(1) (e) of the P.C. Act and Sections 109 and 120(B) of the I.P.C.

The prosecution story, in brief, is that one Alok Kumar has been in service of Bihar Government since



10.03.1999 after selection through Bihar Public Service Commission on the post of Deputy Collector. It is said that Alok Kumar was posted as Special Land Acquisition Officer at Jamui since March, 2015. It is further alleged that on secret information against Alok Kumar, a preliminary enquiry was conducted in which it was found that he has amassed disproportionate assets worth Rs. 2,22,21,855/-.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. They have been made accused in the present case due to mistake of fact. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners happen to be relatives of co-accused Alok Kumar and for the said reason their name have been dragged into this case. The petitioner no. 2 is a lady. No incriminating article is said to have been recovered from possession of petitioners. It has further been submitted that the petitioners are ready to deposit an amount of Rs. 5,00,000/- (Rupees Five Lacs) jointly in the learned court below which shall be subject to final result of the case.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R./ complaint case.

It is necessary to indicate here that this Court while



considering the prayer made in the present anticipatory bail application has taken note of the exponential rise in number of covid cases due to outbreak of third wave of Covid-19 pandemic. Further this Court can also not lose sight of the fact that the condition of jails are not conducive and suitable to the present situation which has arisen due to the sudden rise in covid cases.

Considering the aforesaid facts and circumstances, the petitioners are directed to deposit an amount of Rs. 5,00,000/- (Rupees Five Lacs) jointly in the learned court below which shall be subject to final disposal of the case. On doing so, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on their personal bonds to the satisfaction of the learned Additional Sessions Judge-3rd-cum-Special Judge, Vigilance, Patna, in connection with Special Case No. 04/2017, arising out of Vigilance Case No. 06/2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each within a period of



eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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