

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35077 of 2020**

Arising Out of PS. Case No.-29 Year-2013 Thana- ECONOMIC OFFENCES, BIHAR
District- Patna

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Jay Shree Thakur, aged about 63 years, Female, Wife of Sri Rajesh Kumar Choudhary, Resident of 404, Sundaram Apartment, Tilka Manjhi, P.S.- Barari, District – Bhagalpur.

... .. Petitioner

Versus

The State of Bihar through the Vigilance, Bihar

... .. Opposite Party

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Appearance :

For the Petitioner	:	Mr. Pranav Kumar Jha, Advocate
For the E.O.U.	:	Mrs. Soni Srivastava, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

10 27-07-2022 Heard learned counsel for the petitioner and learned counsel for the Economic Offences Unit.

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

The petitioner seeks bail in connection with Special Case No. 41/2013, arising out of E.O.U. P.S. Case No. 29/2013 for the offences registered under Sections 13(2) read with Section 13(1) (e) of the Prevention of Corruption Act.



The prosecution case, in brief, is that the petitioner after verification was found in possession of huge disproportionate assets during her service period from 12.01.1987 to 30.06.2013. It was also found during the course of verification of assets that the petitioner joined as Deputy Collector on 12.01.1987. She was also posted as Land Acquisition Officer in Banka and was posted as A.D.M. Bhagalpur. At the time of institution of F.I.R., the disproportionate assets was found to be tune of Rs. 2,27,76,766/- which was earned by this petitioner by misusing her position as public servant. After completion of the investigation, the petitioner was found to be in possession of disproportionate assets worth Rs. 13,98,38,213/-.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 22.02.2019 i.e., for more than three years. Charge has already been framed against her. She has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. Learned counsel also submits that from the counter affidavit filed on behalf of the Economic Offences Unit, it appears that there are altogether 110 prosecution witnesses to be examined. In the said circumstances, there is no



chance of trial being concluded in near future. It is further contended on behalf of the petitioner that the petitioner is a lady and the allegation of disproportionate assets alleged against the petitioner is not correct and proper assessment has not been made.

Mrs. Soni Srivasatava, learned counsel appearing for the Economic Offences Unit, has submitted that the petitioner is named in the F.I.R. and there is misuse of public money made by the petitioner and the petitioner had acquired property which is alleged to be disproportionate to her known income.

Considering the fact that the petitioner has remained in custody for more than three years and there is no chance of trial being concluded in near future, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Special Judge, Vigilance-II, Patna, in connection with Special Case No. 41/2013, arising out of E.O.U. P.S. Case No. 29/2013.

(Sudhir Singh, J)

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