

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45520 of 2023**

Arising Out of PS. Case No.-1 Year-2015 Thana- ECONOMIC OFFENCES, BIHAR
District- Patna

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ANIL KUMAR SINGH @ ANIL KUMAR SINHA Son of Late Hardeo Singh
Resident of Painapur, P.S.- Bikram, District - Patna

... .. Petitioner/s

Versus

1. The State of Bihar through the Officer in Charge of Economic Offence P.S. Patna Bihar
2. The Inspector General, Economic Offence, Unit Bihar, Patna. Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Anshuman Singh, Adv.
For the Opposite Party/s	:	Mr. Ramchandra Sahni, APP.
For EOU	:	Mr. Vishwanath Pd. Sinha, Sr. Adv. Mr. Vijay Anand, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 30-10-2023 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 420, 467, 471, 409, 120(B) of the Indian Penal Code and Sections 81 (1) (C) , 81 (2), 81 (4) of Bihar VAT Act.

3. The allegation levelled in the FIR is that three companies were engaged in uplifting of coal from Jharkhand and selling in Bihar in low price without paying the tax to the concerned department.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence.



Petitioner is Proprietor of M/s. Dev Shri. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. Petitioner has no concern with the aforesaid firms or companies. He has been made accused in the present case merely on the basis of VAT Number. It is further submitted that petitioner has already deposited the liability of loss amount i.e. Rs. 5900/-. Similarly situated co-accused have been granted bail by different Co-ordinate Bench of this Court. Petitioner has one criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for Economic Offence Unit opposed the prayer for bail and submitted that though the present case is of year 2015, but there is inordinate and abnormal delay of more than 8 years in filing the anticipatory bail application without assigning any plausible and convincing reason for the said delay.

6. Having regard to the facts and circumstances of the case, as similarly situated co-accused have been granted anticipatory bail, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned



Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Economic Offence P.S. Case No. 1 of 2015, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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