

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39628 of 2022

Arising Out of PS. Case No.-2 Year-2014 Thana- ECONOMIC OFFENCES, BIHAR
District- Patna

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VEENA KUMARI W/o Sri Virendra Prasad Yadav Resident of Village - Lahargama, Katesar, PO- Katesar Sakra, Sakri, OP Variyarpur, Distt.- Muzaffarpur. At Present resides in Village - Ganipur, Near mukthinath Mandir, Ramdayalu Nagar, P.s.- Kazimohammadpur, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Economic Offense Unit, Bihar, patna through S.P., Patna.
Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. advocate Mr. Anil Kumar Roy
For the EOU	:	Mr. Vishwanath Pd. Sinha, Sr. advocate Mr. Vijay Anand

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

14 07-04-2023 Heard learned counsel for the parties.

Petitioner apprehends her arrest in a case registered for the offence punishable under Section 13(2)/ 13(1)(e) of the Prevention of Corruption Act.

As per the prosecution case, after adopting corrupt and illegal means, co-accused, Virendra Prasad Yadav, husband of this petitioner, has acquired properties more than Rs. 1,12,33,633/- disproportionate to his known source of income. The properties were acquired in the name of his wife, this petitioner, and other relatives.

Learned counsel appearing for the petitioner submits that petitioner is not named in the FIR and her name has



transpired in this case during the course of investigation. She is a business woman and runs a Gas Agency known as M/s Vadini Gas Agency (Indian Oil) from the year 2011. The petitioner has own business and she filed all details before Income Tax department by filing Income Tax return but the authorities without verification of the fact from Income Tax department has falsely implicated the petitioner in this case. Charge sheet has already been submitted in this case and there is no requirement of any custodial interrogation of the petitioner. There is no allegation of tampering with evidence against this petitioner. Petitioner is a lady and she has got clean antecedent.

Learned counsel appearing for the E.O.U opposes the prayer for anticipatory bail. It is submitted that the connected case is of the year 2014 and the charge sheet has been submitted in the year 2017 whereas in the year 2022 the petitioner approached the learned Special Judge for grant of anticipatory bail and therefore on the ground of delay and laches alone the present petition is fit to be rejected.

Considering the facts of the case and the fact that petitioner is a lady and charge sheet has already been submitted against her and no further custodial interrogation of petitioner is required and there is no allegation of tampering with evidence



against the petitioner coupled with her clean antecedent, let the petitioner, above named, in the event of her arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Vigilance-1, Patna in connection with EOU PS case No. 02/ 2014, Special Case No. 03/ 201414 subject to conditions laid down u/s 438(2) of the Cr. P. C. with the following conditions: -

(I) The Petitioner/accused should not contact the prosecution witnesses or any person acquainted with the facts of accusation against them so as to dissuade them from disclosing the same to the Court or to the police.

(II) The petitioner/accused should cooperate the trial court in expeditious disposal of the trial against them.

(III) The petitioner/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The petitioner/ accused should not repeat commission of similar offence in future and if she is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

(Prabhat Kumar Singh, J)

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