

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72759 of 2022

Arising Out of PS. Case No.-4 Year-2014 Thana- ECONOMIC OFFENCES, BIHAR
District- Patna

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Manish Singh, Son of Late Ajit Kumar Singh, Resident of L-40, Road No. 20,
Sri Krishna Nagar, P.S- Buddha Colony, Dist- Patna, Pin Code- 800001

... .. Petitioner/s

Versus

The State of Bihar through E.O.U., Patna Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjeev Ranjan, Advocate
For the E.O.U.	:	Mr. Vishwanath Pd. Sinha, Sr. Advocate
		Ms. Soni Shrivastava, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 29-04-2023 Heard Mr. Sanjeev Ranjan, learned counsel for the

petitioner, Mr. Vishwanath Pd. Sinha, learned senior counsel

duly assisted by Ms. Soni Shrivastava, learned counsel for the

Economic Offence Unit.

Petitioner is apprehending his arrest in connection
with Special Case No. 14 of 2014 arising out of Economic
Offence P.S. Case No. 04 of 2014 for the offences registered
under Sections 13(2) read with 13(1)(e) of the Prevention of
Corruption Act, 1988.

The prosecution case is based on a written report of
the informant alleging therein that co-accused ‘Kanhaiya
Kumar’ being Assistant Director, Information and Public
Information Officer is having disproportionate assets to his



known sources of income, concerning which his income has been calculated during the said period between the 30.02.2002 to 31.12.2013 to the tune of Rs. 1,19,96,650/-. Allegedly, this petitioner has given an A/c payee cheque of his company of Rs. 6.50 lakhs to the co-accused 'Kanhaiya Kumar' in order to make his black money, white.

Submission has been made that the petitioner being Director of the construction company has furnished the cheque for the supply of cements. It is next submitted that the petitioner is not even named in the FIR and on a similar allegation, other co-accused persons, who have also issued cheques in favor of 'Kanhaiya Kumar', the then Assistant Director, Information, they have been allowed the privilege of anticipatory bail by the learned co-ordinate Bench of this Court, the copies of which have been brought on record by way of Annexure – 2 series to the application. Further submission has been made that the mother of the petitioner, who has also issued cheque of Rs. 2.5 lakhs, she has also been allowed privilege of anticipatory bail by the learned co-ordinate Bench of this Court.

On the other hand, learned senior counsel appearing on behalf of the Economic Offence Unit vehemently opposes the bail application and submits that allegedly the petitioner had



issued a cheque of Rs. 6.50 lakhs but during the course of investigation it has come that against the said cheque amount no supply has ever been made to the petitioner, apart from the fact that the case was instituted in the year 2014 itself and charge-sheet was submitted way back in the year 2017 and, thereafter, cognizance was taken in the year 18.09.2017, but the petitioner remained absconded till date. However, the learned senior counsel did not confront the fact that other co-accused persons, having almost similar allegation, have been allowed the privilege of anticipatory bail by the learned co-ordinate Bench of this Court.

At this juncture, learned counsel for the petitioner submits that so far the delay is concerned, from the record it appears that the petitioner immediately after receipt of the summon, approached before the Special Court for his anticipatory bail and since then he is bonafidely pursuing his remedy.

Regard being had to the submissions made on behalf of the parties and considering aforementioned submissions and the fact that other co-accused persons have been allowed the privilege of bail on an identical allegations, let petitioner, above named, in the event of his arrest or surrender before the Court



below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rs. Twenty five thousand only) with two sureties of the like amount each to the satisfaction of the learned Presiding Officer (Special Court) Vigilance, Patna in connection with Special Case No. 14 of 2014 arising out of Economic Offence P.S. Case No. 04 of 2014, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Harish Kumar, J)

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