

IN THE HIGH COURT OF JHARKHAND AT RANCHI

B.A. No. 1080 of 2026

Vinay Kumar Choubey, son of Devendra Choubey.

... .. **Petitioner**

Versus

The State of Jharkhand through A.C.B (Vigilance)

... .. **Opposite Party**

CORAM: HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY

For the Petitioner	: Mr. R.S. Mazumdar, Sr. Advocate
	: Mrs. Jasvinder Mazumdar, Advocate
	: Mr. Naveen Kumar, Advocate
For the Opp. Party	: Mr. Sumeet Gadodia, Advocate
	: Mr. Ritesh Kumar Gupta, Advocate
	: Mr. Nillohit Choubey, Advocate

07/23.04.2026

Heard the learned counsel appearing on behalf of the parties.

2. Learned counsel for the petitioner submits that the petitioner is in custody since 11.11.2025 in connection with Hazaribagh A.C.B. P.S. Case No.11 of 2025, registered under Sections 420, 467, 468, 471, 120B of Indian Penal Code and under Section 13 (2) r/w 13 (1) (d) of Prevention of Corruption (Amendment) Act, 1988, now pending in the court of learned Additional District Judge – II – cum – Special Judge, Vigilance (ACB), Hazaribagh.

3. The learned counsel for the petitioner has submitted that the preliminary inquiry in this case was instituted vide P.E. No.24 of 2015 as back as on 27.08.2015 and F.I.R. was lodged after almost 10 years on 25.09.2025. He has further submitted that though the petitioner is not named in the F.I.R., but from the F.I.R. the only portion which links the petitioner is in connection with certain inquiry when it came to light that Binay Kumar Singh and Smt. Snigdha Singh had purchased the property and their name was mutated vide Mutation Case No.481 of 2010-2011 and it has been alleged that a portion of the property in Khata No.95 plot no.848 was gairmazurwa land having the nature of jungle (forest), still mutation was done in favour of the purchasers of the forest land.

4. He submits that in the F.I.R. itself, it has been alleged that

previously mutation of the forest land was done and the mutation was also cancelled, still mutation was done in favour of Binay Kumar Singh and Snigdha Singh. He has further submitted that the role of the petitioner, who was the then Deputy Commissioner of the District of Hazaribagh transpired when the co-accused, the then Circle Officer Alka Kumari, made a statement under Section 183 of BNSS before the court that the mutation was done at the instructions and pressure of the present petitioner, who was the then Deputy Commissioner, Hazaribagh.

5. The learned counsel for the petitioner has referred to the impugned order at internal page 4 and submitted that the money transaction with respect to the wife of the petitioner, family members, Binay Kumar Singh and Snigdha Singh have been mentioned therein. With respect to the transactions, the petitioner has filed the supplementary affidavit and the explanation has been furnished right from paragraph 4 to 7 of the supplementary affidavit.

6. The learned counsel for the petitioner has submitted that charge sheet has already been submitted against the petitioner on 05.02.2026.

7. The learned counsel has submitted that the co-accused Binay Kumar Singh has been granted bail by the Hon'ble Supreme Court in connection with another ***F.I.R. No.20 of 2025*** registered on 24.11.2025. The learned counsel submits that in the said case initially interim bail was granted by the Hon'ble Supreme Court and the bail order has been subsequently confirmed vide Annexure – 1 to the rejoinder filed on behalf of the petitioner.

8. The learned counsel further referred to the 2nd supplementary affidavit filed on behalf of the petitioner, wherein, the order passed by the Hon'ble Supreme Court has been annexed as Annexure- 2 which shows that the present petitioner has been enlarged on bail in connection with another case being ***ACB F.I.R. No.09 of 2025***. He has submitted that repeated F.I.Rs have been instituted against the petitioner only to ensure that the petitioner remains in jail. This case arises out of ***ACB P.S. Case No.11 of 2025***.

9. ***The learned counsel for the opposite party - ACB*** while

opposing the prayer of the petitioner has referred to paragraph 23 of the counter affidavit to submit that when the petitioner was questioned, he admitted that Binay Kumar Singh and Snigdha Singh, the purchasers of the land, were having family relationship with the petitioner for last 25 years. He then referred to paragraph 17 to submit that one of the witnesses namely Circle Officer, Alka Kumari, has given a statement under Section 183 of the BNSS that the petitioner, by misusing his official position, forcefully got the land in question mutated in favour of Binay Kumar Singh and Snigdha Singh, despite specific objection raised by her that the land was gairmazurwa khas, kism jungle land and that the mutation of the said land cannot be done. It was under the instructions and directions of the present petitioner the Circle Officer passed the order of the mutation in favour of Binay Kumar Singh and Snigdha Singh.

10. He has then referred to paragraph 24 of the counter affidavit to submit that the co-accused namely Rajendra Prasad Singh, who was the then Circle Inspector, had suo moto submitted a reply to the Investigating officer of the case that there was pressure from the petitioner to carry out mutation in favour of Binay Kumar Singh and Snigdha Singh. The learned counsel submits that the anticipatory bail of Rajendra Prasad Singh is pending before this Court. The learned counsel has submitted that with respect to another co-accused also, the then Circle Sub-Inspector, namely Ram Prakash Choudhary, anticipatory bail is pending before this Court.

11. The learned counsel has submitted that if the petitioner is released on bail, there is a likelihood that he would influence the aforesaid two co-accused persons who had also acted under the directions and instructions of the petitioner.

12. The learned counsel then referred to paragraphs 20 and 21 of the counter affidavit to submit that the vendor of another portion of the land in question was never Bhagwan Prasad Gupta and others; rather, the land was recorded in Register II in the name of Pradeep Kumar Jain and Rajesh Kumar Jain. He submits that as the vendor of Snigdha Singh and Binay Kumar Singh was never Bhagwan Prasad

Gupta, there was no occasion to carry out mutation in the name of Snigdha Singh and Binay Kumar Singh, as their vendors were Bhagwan Prasad Gupta and others. He submits that all the subordinate officers in the circle acted at the instructions and under pressure of the present petitioner. The learned counsel submits that Bhagwan Prasad Gupta did not have title with respect to the property, and therefore, they could not have been vendor of Snigdha Singh and Binay Kumar Singh, still the property was mutated in the name of Snigdha Singh and Binay Kumar Singh. In the mutation proceeding, the title of the vendor is required to be seen.

13. The learned counsel has then referred to paragraphs 30 to 33 of the counter affidavit to submit that the entire money trail and the manner in which the money has been transferred and deposited in the account of one Brahmhastra Education Private Ltd, in which, the wife of the petitioner and brother in law of the petitioner are the directors, has been mentioned and there are cash deposits totaling Rs.3,16,81,597/- during the period from 2010 to 2015. He submits that the said company namely Brahmhastra Education Private Ltd. is only a cloak to give legitimacy to the money transaction. Rather, the company was used for layering of illicit money generated by the petitioner.

14. The learned counsel has submitted that another case in that connection has been registered with ACB being ACB Ranchi P.S. Case No.20 of 2025 dated 24.11.2025, in which, the petitioner as well as his wife and also Binay Kumar Singh and his wife Snigdha Singh are named accused.

15. The learned counsel has submitted relevant paragraphs of the case diary and statements of the witnesses recorded under Section 180/183 of the BNSS during the court proceedings, which as under:

Sl. No.	Particulars	Relevant paragraphs of counter affidavit	Relevant paragraph of case diary
1.	Case Diary No.27	13	264
2.	Case Diary No.29	15	285

3.	Statement of Alka Kumari recorded under Section 183 of BNSS	17	73, 75
4.	Case Diary No.20	18	222 & 224
5.	Case Diary No.32	19	298
6.	Case Diary No.32	20	300
	Case Diary No.3		306
7.	Statement of Ashutosh recorded under Section 180 of BNSS Case Diary No.32	21, 22	299 & 300
8	Case Diary No.40	23	361

16. Order is reserved.

(Anubha Rawat Choudhary, J.)

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