

IN THE HIGH COURT OF JHARKHAND, RANCHI
A.B.A. No. 5785 of 2024

Laleshwar Singh, S/o Late Ram Bihari Singh, aged about 61 years, R/o Ex. Coal Board Colony, Police Line, Hirapur, PO – Dhanbad, PS – Dhanbad, District – Dhanbad, Jharkhand

.... Petitioner

-- Versus --

The State of Jharkhand

.... Opposite Party

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner :- Mr. Niranjan Singh, Advocate

For the State :- Mrs. Priya Shrestha, Advocate

14/17.10.2025 Heard learned counsel appearing for the petitioner as well as the learned counsel appearing for the State.

2. The petitioner is apprehending his arrest in connection with Special Vigilance Case No.01 of 2023 arising out of Dhanbad Vigilance P.S. Case No.01/2023 for the alleged offences registered under Sections 13(2) and 13(1)(b) of P.C. Act, 2018 (Amended) pending in the Court of learned Additional Sessions Judge-X-cum-Special Judge (ACB), Dhanbad.

3. Learned counsel appearing for the petitioner submits that the petitioner and his wife namely Smt. Moharmala Devi are income tax payee and has own business accordingly she has earned income and purchased properties in her own name and Income Tax Return filed since 2007-2008. He further submits that sons and daughter in laws of the petitioner are earning members working in private

companies and obtained loans of approx more than Rs.1 crore and they jointly and severally constructed the property on taking loan and still repaying the loan in installments. He then submits that false allegations are made against the petitioner by ACB of earning disproportionate assets. He also draws the attention of the Court to the supplementary affidavit filed by the petitioner and submits that the documents annexed with the supplementary affidavit has not been investigated by the Investigating Officer and according to him I.O. has wrongly shown the entire income of all the members of the family upon the head of the petitioner without bifurcating the individual income of the family members. On these backgrounds, he submits that the anticipatory bail of the petitioner may kindly be granted.

4. Learned counsel appearing for the ACB opposes the prayer and submits that Investigating Officer-cum-Police Inspector, Krishna Nand Singh has submitted a report in the office of Superintendent of Police, Anti-Corruption Bureau, Dhanbad for verification of the allegation levelled against the petitioner in the preliminary enquiry and thereafter he found the allegation was verified by Dy. Superintendent of Police-cum-Verifying Officer, Samir Kumar Tirkey the allegation levelled in the Receipt No.242/2016 dated 21.10.2016 of secret information, the preliminary enquiry and submitted a progress report by letter dated 11/02/2019 in the Divisional office of Anti-Corruption Bureau, Dhanbad and found the allegation to be

true against the petitioner and on the basis of that First Information Report was registered vide A.C.B. Dhanbad P.S. Case No.01/2023 corresponding to Special Vigilance Case No.01/2023. She further submits that in the enquiry it has come that a four storied building of the accused is situated in front of residence of Dy. S.P., Dhanbad, near Police Line, Dhanbad and in front of his house 8 Kattha land was also bought by the petitioner, near a temple. It was also found that five years back this petitioner was owning 12 Hywa trucks and now he is owner of 15 to 16 Hywa trucks, which are engaged in carrying Iron Ore from Bokaro to Giridih. She then submits that the petitioner happened to be a Constable in Jharkhand Police and the allegations are there of disproportionate asset to the tune of Rs.1,23,72,738/-. She also submits that in Form B assets of the petitioner in the end of Check period was found to the effect that :-

- I.** Balance of the account of petitioner in SBI Account No.10900483795 on 14.10.2019 was Rs.4,07,290/-.
- II.** One land purchased in the name of petitioner Laleshwar Singh in Ex Coal Board Colony, Hirapur, Dhanbad vide Deed No.2554 dated 29/03/006 at the rate of Rs.3,05,000/-.
- III.** One house constructed by the petitioner on the above-mentioned land at the cost of Rs.21,92,000/-.
- IV.** One land purchased through Deed No.318 dated 21/1/2013 in the name of wife of the accused namely

Moharmala Devi at the rate of Rs.5,61,000/-.

- V.** One land purchased through Deed No.6314 dated 02.07.2007 in the name of wife of the accused namely Moharmala Devi at the rate of Rs.4,11,000/-.
- VI.** One land purchased through Deed No.316 dated 21.01.2013 in the name of wife of the accused namely Moharmala Devi at the rate of Rs.11,22,393 including taxes.
- VII.** One land purchased through deed No.11696 dated 04.09.2008 in the name of wife of the accused namely Moharmala Devi, at the rate of 2,49,143 including taxes.
- VIII.** One land purchased through Deed No.1444 dated 17.08.2012 in the name of wife of the accused namely Moharmala Devi at the rate of Rs.10,02,533/- including taxes.
- IX.** One land purchased through Deed No.1407 dated 13.03.2019 in the name of wife of the accused namely Moharmala Devi and his daughter-in-law namely Smt. Shweta K. Singh, W/o Sanjit Kumar, at the rate of Rs.59,85,000/- including taxes.
- X.** One Fixed Deposit of worth Rs.22,00,000/- purchased in the name of wife of the accused namely Moharmala Devi from SBI, Hirapur, Dhanbad Branch vide FD No.351699670.

5. In Form C, which is the income of the petitioner in the Check Period was found to the effect that :-

I. Income of the petitioner Laleshwar Singh in the Check Period through salary is Rs.37,07,180/-.

II. Income of the petitioner Laleshwar Singh through interest in the SBI Bank Account No.10900483795 is Rs.29,805/- and total income including interest is worth Rs.37,60,524/-.

6. In Form D, which is prepared for expenses of the petitioner in the Check Period was found to the effect that :-

I. Domestic Expenses, which is one-third of income comes to the tune of Rs.12,43,572/-

II. One motorcycle was purchased of worth Rs.49,500/- by the accused.

III. Investment in the name of accused and his wife Moharmala Devi in Life Insurance Policy are Rs.4,59,708/- and Rs.70,050/- respectively and total expenses comes to the tune of Rs.18,22,830/-

7. She further submits that even so far education qualification of son of the petitioner is concerned that has also found to be not true as it has come in paragraph No.203 of the case diary and the petitioner has taken plea that his son is a qualified person and he is doing service in Multi-National Company. She submits in view of that also the submission appears to be false. On these grounds, she

submits that the anticipatory bail of the petitioner may kindly be rejected.

8. In view of above submission of learned counsel appearing for the parties and considering the materials on record including the supplementary affidavit filed by the petitioner as well as the counter affidavit of the ACB it transpires that the allegation against the petitioner is made that he has acquired disproportionate assets to the tune of Rs.1,23,72,738/-. Form B, C and D as noted in the argument of learned counsel appearing for the ACB the property acquired by the petitioner has been disclosed therein. Petitioner was a Constable in Jharkhand Police and the asset which has come in the argument and the case diary of learned ACB has been acquired by the petitioner. The only plea has been taken by way of referring the documents annexed with the supplementary affidavit for grant of anticipatory bail to the effect that son and daughter-in-law are working with the Multi-National Company and they have taken loan and thereafter such properties have been acquired even if such argument of learned counsel appearing for the petitioner is accepted, *prima facie*, it appears that the property acquired by the petitioner as alleged cannot be purchased by a person even he is having a handsome salary by way of working in Multi-National Company. There are materials against the petitioner and petitioner happened to be Constable only and such assets have been acquired.

9. In the attending facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner, hence, the prayer for anticipatory bail of the petitioner is hereby rejected.

10. Interim order is vacated.

(Sanjay Kumar Dwivedi, J.)

Dated 17.10.2025
Sangam/