

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24474 of 2015

Arising Out of PS.Case No. -10 Year- 2015 Thana -C.B.I CASE District- MUZAFFARPUR

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Dwijendra Gupta @ Dwijendra Kumar Gupta aged about 58 years, son of Sri B. Ramchandra Gupta, Resident of B-169, Mehdauri Colony, Post Office-Teliaganj, Police Station- Shivkuti, District- Allahabad, presently Vice-Chancellor of Jai Prakash University, Chapra in District of Saran.

.... Petitioners.

Versus

1. The State of Bihar, through the Additional Director General , Vigilance Investigation Bureau, Patna.
 2. Jai Prakash University, Chapra in the District of Saran through its Registrar.
- Opposite Parties.

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH
ORAL ORDER

02 28-05-2015

Heard Mr. Akhileshwar Prasad Singh, learned counsel

for the petitioner, Mr. Binod Kumar Singh, learned counsel for the informant, learned counsel for the Jai Prakash University and learned counsel for the Vigilance Investigation Bureau.

The petitioner is the Vice-Chancellor of the Jai Prakash University, Chapra and apprehends his arrest in Special Case No.03 of 2015, arising out of Vigilance P.S. Case No.10 of 2015 instituted under Sections-409, 420, 467, 468, 471, 477-A/34/120-B of the Indian Penal Code and Section-13 (2) read with Section 12 (1) (d) of the Prevention of Corruption Act.

The first information report only talks of abuse of power, if any, and alleged wrongful gain by not following the procedures established by law. It is contested by the learned counsel for the petitioner who submits that it is only when serious

actions were being taken against the informant, he has chosen to bring pressure lodged this false case. Be that as it may, this is not the stage to adjudicate upon allegations and counter allegations or defence. This is an application for bail in anticipation of arrest. In the manner in which this application is sought to be opposed by the informant is indicative of the fact that the informant is more interested in getting the petitioner arrested to humiliate him rather than seek justice.

In the facts and circumstances of the case, in the event of arrest or surrender within four weeks from today, the petitioner, namely, Dwijendra Gupta alias Dwijendra Kumar Gupta shall be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of like amount each to the satisfaction of learned Special Judge Vigilance, North Bihar, Muzaffarpur in connection with Special Case No.03 of 2015, arising out of Vigilance P.S. Case No.10 of 2015, subject to all conditions as laid down in Section-438(2) of the Criminal Procedure Code.

(Navaniti Prasad Singh, J.)

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