

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17507 of 2015

Arising Out of PS.Case No. -37 Year- 2011 Thana -CHAPRA MUFFASIL District- SARAN

Budhi Chandra Singh

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma, Adv.

For the Opposite Party/s : Mr. Shardanand Jha(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 19-05-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 409 and 420 of the Indian Penal Code.

The prosecution case is that the FIR was lodged by the Registrar of J.P. University on the direction of Hon'ble Chancellor against the then Vice Chancellor Ram Pravesh Sharma for committing huge financial and administrative illegalities, violation of the direction of Hon'ble the Chancellor, withdrawing huge amount for the purchase of furniture and construction of building, making access payment of TA/DA at the higher rate without approval of Syndicate by not inviting member nominated by the Chancellor. The then Vice Chancellor also made several appointments of non-teaching staff against the Rules and Regulations. Huge amount of arrear of 6th Pay Revision was

withdrawn from the college fund just prior to the retirement.

It is submitted by learned counsel for the petitioner that the petitioner was not named in the FIR. On conclusion of the investigation, the Vice Chancellor was not sent up for trial since the informant failed to produce the relevant document before the investigating agency. The final form has been brought on record as Annexure-2, but differing with the final form, cognizance has been taken by the learned CJM, vide order dated 17.11.2014 as contained in Annexure-3 to the petition, against the petitioner also.

Considering the fact that petitioner was not named in the FIR nor his name figures in the final form and he has been superannuated from service on 30th of November, 2002, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Saran at Chapra in connection with Chapra Muffasil P.S. Case No. 37 of 2011, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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