

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9738 of 2017

Arising Out of PS.Case No. -102 Year- 2016 Thana -VIGILANCE District- PATNA

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Yogendra Pandey, Principal Lok Mahavidyalya, Hafizpur, Baniyapur, Son
of Late Rameshwar Pandey, resident of Village- Usti, Police Station-
Baniyapur, District- Saran (Chapra).

.... Petitioner

Versus

The State of Bihar through Cabinet Vigilance.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Y.B. Giri, Sr. Advocate.
Mr. B.K. Mishra, Advocate,
For the Opposite Party/s : Mr. Ramakant Sharma, Sr. Advocate,

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

5 06-04-2017 Heard learned counsel for the petitioner and Sri

Ramakant Sharma, Sr. Advocate, appearing on behalf of State of

Bihar through Cabinet Vigilance.

The petitioner seeks bail in connection with Special
Case No.44 of 2016 (Vigilance P.S. Case No. 102 of 2016),
registered under Sections 420, 467, 468, 471, 472, 477(A), 409
and 120(B) of the Indian Penal Code and Section 13(2), 13(1) of
the Prevention of Corruption Act, 1988.

The accusation is that vide letter No.271, dated
14.02.1990 only 95 posts of teaching staff including principal
and 45 non-teaching staff were sanctioned for Lok
Mahavidyalya, Hafizpur, Baniyapur, Saran and accordingly for



the session of 2005-08 Rs. 15934200/- for the session of 2006-09 Rs. 28053600/- and for the Session 2007-10 Rs. 31703100/- grant-in-aid was sanctioned to the said college on the basis of passing out of the students in the aforesaid sessions for distribution among teaching and non-teaching staff, but it was found that for the session of 2005-08, 2006-2009 and session 2007-10, amount of grant-in-aid was paid respectively to 90,93 and 91 non teaching staffs under the conspiracy of Secretary of Management Committees the principal of the college and they misappropriated the amount of grant-in-aid.

Learned counsel for the petitioner submits that, in fact, the petitioner is the Principal of Lok Mahavidyalya, Hafizpur, Baniyapur, Saran and he joined on the post of Principal on 31.07.2009 in addition to 45 non-teaching staffs, 31 non-teaching staffs were sanctioned vide letter No. 599, dated 27.09.2008 by the University. Moreover, the non-teaching staffs to whom money was paid under grant-in-aid had joined in the college before joining of the petitioner as Principal. Moreover, the petitioner is in custody since 05.01.2017 and the Chargesheet has already been submitted in this case.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on



bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Vigilance, North Bihar, Muzaffarpur in connection with Special Case No. 44 of 2016 (Vigilance P.S. Case No. 102 of 2016).

(Rajendra Kumar Mishra, J)

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