

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32242 of 2017

Arising Out of PS.Case No. -35 Year- 2017 Thana -SABAUR District- BHAGALPUR

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Amit Kumar Son of Shri Ramswarath Kumar Singh, R/o Chhoti Keshopur, Nalapar, Jamalpur, P.S.- Jamalpur, District- Munger.

.... Petitioner

Versus

The State of Bihar through the Vigilance

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Abhinav Srivastava, Advocate

For the Opposite Party : Mr. Kedar Singh,

AC to Mr. Ramakant Sharma(L.O.,I/C.Vigi.)

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

4 19-08-2017 Heard Mr. Abhinav Srivstava, learned counsel for the petitioner and learned Assistant Counsel for the Vigilance.

2. The petitioner is in custody since 20.05.2017 in connection with Sabour P.S. Case No. 35 of 2017 for the alleged offences under Sections 409, 420, 467, 468, 471 and 120B of the Indian Penal Code and Section 13(1)(d) of the Prevention of Corruption Act, 1988.

3. It is submitted that the petitioner has been falsely implicated on mere suspicion as he happens to be posted as the Assistant Director in the Recruitment Cell of the Bihar Agriculture University, Sabour (for short "the University") at the relevant time. The thrust of accusation is against the FIR named accused Dr. Mewa Lal Choudhary, the then Vice Chancellor and Chairman of the Selection Committee of the University. The petitioner submits that in the enquiry report dated 20.11.2016, the petitioner has not even been named, much less any accusation against him is being made. The petitioner claims clean antecedents.



4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Special Judge, Vigilance II, Patna in connection with Sabour P.S. Case No. 35 of 2017 on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Chandran/BT

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