

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11563 of 2017

Arising Out of PS.Case No. -130 Year- 2016 Thana -VIGILANCE District- PATNA

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Rup Bihari Singh, son of Late Raushan Singh, Resident of House No. L-1/58, Sri Krishna Puri, P.O.- G.P.O. (Patna), P.S.- Sri Krishna Puri, District-Patna (Bihar).

.... Petitioner

Versus

The State of Bihar Through Dy. S. P. -cum- Inspector of Police, Vigilance Investigation Department, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Raju Giri, Adv. Mr. Santosh Kr. Mishra, Adv.
For the Opposite Party/s	:	Mr. Rama Kant Sharma(L.O.,I/C.Vigi.) Mr. Rakesh Kumar Sharma, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

5 04-07-2017 Heard learned counsel for the petitioner, learned counsel appearing on behalf of Vigilance Investigation Department, Patna and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Special Case No. 69 of 2016 arising out of Nigrani P.S. Case No. 130 of 2016, registered under Sections 109, 409, 420, 467, 471 and 120-B of the Indian Penal Code and Sections 13(2),13(I)(a)(c) of the Prevention of Corruption Act.

The accusation is that in spite of direction to President, Secretary, Principal of Degree Colleges to not appoint the teaching and non-teaching staff in the light of letter No. 288 G.S.III B, dated 22.04.1993 petitioner being the Secretary of D.N. College, Masaurhi, Patna, Sri Dinesh Prasad Sinha, the then representative of Magadh University, Sri Jai Prakash Rai, Member Educationist, Sri Birendra



Kumar, the then teacher representative and Sri Dudhnath Singh, Principal, D.N. College, Masaurhi being the member made appointment of 70 teaching and 44 non-teaching staff overlooking the direction also distributed the salary worth of Rs. 89,70,000/- and committed financial irregularities and illegality.

Learned counsel for the petitioner submits that petitioner is the founder member of D.N. College, Masaurhi, which is affiliated to Magadh University and at present he is aged about 90 years. The validity of the appointment was enquired at the instance of the government by the university in the year 2009 in which appointment was found in accordance with law with comment that the roster was not followed in the said appointment and direction was given to follow the roster in future.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Special Judge-Vigilance 1st, Patna in connection with Special Case No. 69 of 2016 arising out of Nigrani P.S. Case No. 130 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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