

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35815 of 2017

Arising Out of PS.Case No. -100 Year- 2016 Thana -VIGILANCE District- MUZAFFARPUR

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Gopal Prasad Arya @ Prof. Gopal Prasad Arya, Son of Late Kanhaiya Lal Arya, Resident of Mohalla - East Chitragupta Nagar, P.S. - Patrakar Nagar, District - Patna

.... Petitioner/s

Versus

The State of Bihar through Vigilance

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Rana Vikram Singh, Advocate

For the Opposite Party/s : Mr. Kedar Singh, A.C. to Mr. Rama Kant Sharma(L.O,I/C Vigi)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 17-08-2017 Heard learned counsel for the petitioner and the learned counsel appearing on behalf of the Vigilance.

The petitioner is apprehending his arrest in connection with Special Case No.42 of 2016, arising out of Vigilance P.S. Case No.100 of 2016, for allegedly having committed the offence under Sections 420, 467, 468, 471, 472, 477A, 409/120B of the Indian Penal Code and Section 13(2) read with Section 13(1)(d) of the Prevention of Corruption Act, 1988.

Learned counsel for the petitioner submits that the present case has emanated on account of the fact that certain funds were released by the State Government, which were to



be disbursed by the Principal in favour of the teaching and non-teaching employees, who were the beneficiaries of the funds, so released by the State. It is further submitted that the petitioner is the Controller of Examinations, who had nothing to do with the disbursement of the amounts as has been specified in the F.I.R. and at best, the Examination Controller is concerned with the control and conduct of the examinations within the University and not beyond it.

Considering the nature of allegations made against the petitioner and that he is presently functioning as Professor of Psychology and continuing his official duties, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Vigilance, North Bihar, Muzaffarpur, in connection with Special Case No.42 of 2016, arising out of Vigilance P.S. Case No.100 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

It is made clear that the petitioner shall at all points of



time shall co-operate with the investigation and make himself
available for any such investigation.

(Anjana Mishra, J)

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