

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34426 of 2017

Arising Out of PS.Case No. -107 Year- 2016 Thana -C.B.I CASE District- MUZAFFARPUR

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Dr. Tapaswi Prasad Singh, Son of Late Ganga Prasad Singh, resident of village Krishnadaspur, P.S. Kahalgaon, Bodhchak, District- Bhagalpur at present R/o Mohalla Dahiyawa Tola, Sona Sadan Bypass Road, P.S. Mufassil, District- Chapra, the then Registrar, Retired from Department of Physics, J.P. University, Chapra.

.... Petitioner/s

Versus

The State of Bihar, through Director General, Vigilance, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan, Advocate

For the Opposite Party/s : Mr. Ramakant Sharma (L.O.,Inc.,Vigilance)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 21-09-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Special Case No. 49 of 2016 arising out of Vigilance Case No. 107 of 2016 instituted for the offence under Sections 420, 467, 468, 471, 472, 477(A), 409, 120(B) of the Indian Penal Code, Section 13(2) read with Section 13(1)(d) of the P.C. Act.

It has been submitted that petitioner was posted as Registrar of J.P. University, Chapra. He had joined on 6.12.2011 and was relieved from post of Registrar on 04.01.2013. The aid amount was to be disbursed among teaching and non-teaching employees of the college by Managing Committee of the college concerned. The Principal and the Managing Committee of the



college were responsible for disbursement of aid amount. The aid amount was sent to Daroga Rai Degree College, Siwan. The petitioner was admittedly Registrar of J.P. University, Chapra, and he has no role in disbursement of the aid amount among teaching and non-teaching employees of the college.

It has further been submitted that other co-accused persons have been granted anticipatory bail by different coordinate Benches of this Court vide orders dated 14.07.2017, 27.07.2017, 04.09.2017, 04.09.2017 and 01.07.2017 passed in Cr. Misc. case Nos. 25808 of 2017, 25927 of 2017, 37051 of 2017, 36694 of 2017 and 27296 of 2017 respectively.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Special Case No. 49 of 2016 arising out of Vigilance P.S. Case No. 107 of 2016, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Vigilance, North Bihar, Muzaffarpur, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the



jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

The petitioner will cooperate in the investigation and he will appear before the Investigating Agency as and when required by him.

(Sanjay Priya, J)

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