

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10158 of 2017

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

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Raj Kishore Prasad Sinha, son of Late Raghunath Singh, resident of Village- Samastpura, P.O.- Gamharia, P.S.- Mashrak, District- Saran, presently posted as Finance Officer of Jai Prakash University, Chapra, Saran.

.... Petitioner.

Versus

1. The State of Bihar.
2. The Vigilance Department, through its Director General, Bihar.

.... Opposite Parties.

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Appearance :

For the Petitioner : Mr.
For the State : Mr.
For the Vigilance Department : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

5 13-07-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State as also the learned counsel for the Vigilance Department.

The petitioner apprehends his arrest in connection with Vigilance P.S. Case No.102 of 2016/Special Case No.44 of 2016, registered under Section 13(2) read with Section 13(1)(d) under Prevention of Corruption Act, 1988 and Sections 420, 467, 468, 471, 472, 477A, 409 and 120-B of the Indian Penal Code, 1860, pending in the court of the Special Judge (Vigilance), Muzaffarpur.

The accusation is that in the light of the order passed by this Court in C.W.J.C. No.1593 of 2016, the preliminary inquiry



was done registering Enquiry Case No.B.S.-04/16 in which it was detected that for the Sessions 2005-2008, Rs.1,59,34,200/-, for the Sessions 2006-2009, Rs.50,00,000/- and Rs.2,30,53,600/- and for the Sessions 2007-2010, Rs.3,17,03,100/- were granted by the J.P. University to Lok Mahavidhyala Hafizpur, Baniyapur, Saran. The said amount was distributed in 90 non teaching staff while the post of non-teaching staff was sanctioned only 45. Similarly, for the Sessions 2006-2009, 96 non-teaching staff and for the Sessions 2007-2010, 91 non teaching staff were benefited overlooking the Rules and Regulations. Yogendra Pandey, the Principal, Sonelal Sahani and this petitioner, the then Finance Officers of J.P. University overlooking the same sent the utilization certificate without any comment for further grant to the Government of Bihar.

Learned counsel appearing on behalf of the petitioner submits that, in fact, the petitioner joined on 30.05.2015 in J.P. University on transfer from B.N. Mandal University. As such, the grant was distributed prior to his joining.

On the other hand, learned counsel appearing for the Vigilance Department submits that the grant was sent by the University and distributed from 06.01.2015 to 04.04.2016 and the petitioner had joined in J.P. University on 30.05.2015.

Having considered the facts and the circumstances of



the case and the nature of allegation, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer of the petitioner for grant of anticipatory bail stands rejected.

(Rajendra Kumar Mishra, J)

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