

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27252 of 2017

Arising Out of PS.Case No. -103 Year- 2016 Thana -VIGILANCE District- PATNA

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1. Dr. Dibanshu kumar @ Dibanshu kumar, son of Late Ramanand Sinha,
resident of Village- Katahani Bagh Ratanpur, P.S.- Chapra Town, District-
Saran.

.... Petitioner/s

Versus

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

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vipin Kumar

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

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 01-07-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Vigilance P.S. Case No. 103 of 2016, disclosing offences
under Sections 420, 467, 468, 471, 472, 477(A), 409 and 120(B)
of the I.P.C. and Sections 13(2), 13(1)(D) of the Prevention of
Corruption Act.

The petitioner was working as Examination Controller
of Jai Prakah University, Chapra, during the period of 2012-15.
He has been made accused as the then Examination Controller in
the First Information Report, which has been registered with
allegation of misappropriation of fund made available by State



Government to affiliated Colleges for making payment of salary to the non-teaching employees of the Colleges for the Sessions 2005-08 and 2006-09 and 2007-10.

Learned counsel appearing on behalf of the petitioner, referring to the First Information Report, has submitted that there is no allegation against the petitioner of any misappropriation. The only allegation in the First Information Report is that the some of the students of the College, who were not registered with the University, were allowed to appear at the examination. It is the case of the petitioner that in the first place, the petitioner in his capacity, as Examination Controller, did not have any role in financial matters. Secondly, it alleged him that certain candidates were allowed to appear for the University examination without registration number. It has also been submitted that there is no chance of petitioner fleeing away from the course investigation or trial, if he is allowed to be released on anticipatory bail.

Considering the nature of dispute between the parties, this application is allowed.

Let the petitioner, above named, in the event of arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned Special Judge, Vigilance, North Bihar, Muzaffarpur, in connection with Vigilance P.S. Case No. 103 of 2016, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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