

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35739 of 2017

Arising Out of PS.Case No. -72 Year- 2016 Thana -VIGILANCE District- PATNA

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1. Sri Ram Ojha Son of Late Ramraj Ojha, R/o Behind Mounted Police, Maulabagh Ara, P.S.- Ara Town, District- Bhojpur, Formar Principal, Kunwar Singh College, Ara, Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar .
2. The S.P. Vigilance, Dept. , Bihar, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. V.K. Sharma, Advocate
	:	Mr. Nand Kishore Singh, Advocate
For the Opposite Party/s	:	Mr. Sri Kumar Virendra Narayan, A.P.P.
For the Vigilance	:	Mr. Ramakant Sharma, Sr. Advocate
		Law Officer, Vigilance.
	:	Mr. Kedar Singh, A.C. to L.O. Vig.

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

6 12-10-2017 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 Police Station Case No. 72 of 2016, corresponding to Special Case No. 37 of 2016 disclosing offences under Sections 406, 409, 420, 467, 468, 471 and 1230B of the Indian Penal Code as well as Section 13(2) read with Section 13(1)(d) of the Prevention of Corruption Act, 1988.

Learned counsel for the petitioner has submitted that the petitioner, who is of clean antecedent, is innocent and has not committed any offence. In fact, the petitioner happened to be



Principal of the College in question since its inception and remained on post till 11.07.2013. As a matter of fact, the entire prosecution case has been lodged for the irregularities and illegalities committed in disbursement of grant sanctioned by the Government in the year 2015 to 2016 whereas the petitioner has already retired from service in the year 2013. So far the allegations relating to irregularities committed in disbursement of the grants made prior to 2015-2016, which is with respect to making payment to such teachers and staff who alleged to had not been appointed against the sanctioned post, is concerned, learned counsel has drawn the attention of this Court to the Bihar Gazette and submitted that the State Government by amending Section 57A of the Bihar Act 23, 1976 has approved the appointment of the teacher and staffs who were appointed prior to 19.04.2007 on the basis of qualification in force at the time of appointment of such teachers. Hence, the petitioner deserves the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, 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



learned Special Judge, Vigilance-I, Patna, in connection with
Vigilance Police Station Case No. 72 of 2016 corresponding to
Special Case No. 37 of 2016, subject to the condition laid down
under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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