

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26154 of 2017

Arising Out of PS.Case No. -105 Year- 2016 Thana -VIGILANCE District- PATNA

=====

1. Dr. Ashok Kumar, son of Dr. Lakhi Chand Prasad, resident of Village-Telpa Marwari Colony, P.S.- Town Chapra, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar through Cabinet Vigilance, Bihar at Patna.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Y. V. Giri, Sr. Advocate.
Mr. Binod Kumar Sinha

For the Vigilance : Mr. Ramakant Sharma (L.O.,Inc.,Vigi)
Mr. Rakesh Kumar Verma

=====

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

7 21-08-2017

Heard learned counsel for the petitioner and the learned counsel for the Vigilance Department.

The petitioner apprehends his arrest in connection with Vigilance P.S. Case No. 105 of 2016, registered under Sections 420, 467, 468, 471, 472, 477(A), 409 and 120 (B) of the Indian Penal Code and Section 13(2) read with Section 13(1)(d) of the Prevention of Corruption Act.

The accusation is that Dr. Ashok Kumar being the Registrar of Jai Prakash University, Chapra send Rs.10,99,800/- on approval of the petitioner being the Vice Chancellor to Bisheshwar Dayal Sinha Memorial Mahila College, Chapra, in collusion with Rani Kumari, Principal



of said college and Balram Prasad Rai, Secretary to the Government Body without physical verification. While predecessor of petitioner had stopped the allocation grant to said college.

Learned counsel for the petitioner submits that after joining the petitioner as Registrar at Jai Prakash University, Chapra, he released Rs.10,99,800/- in favour of Bisheshwar Dayal Sinha Memorial Mahila College, Chapra, as the said amount was sent as granted in aid, which was withdrawn by the teachers and staffs of the college. Further submission is that petitioner is ready to deposit Rs.5,00,000/- (five lacs) to the account of Jai Prakash University, Chapra, within two months, under protest subject to the out come of the case.

Having regard to the facts and circumstances of the case and submission of learned counsel for the petitioner, let the above named petitioner be released on provisional bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Vigilance, Muzaffarpur, in connection with Vigilance P.S. Case No. 105 of 2016, subject to the



condition as laid down under Section 438(2) of the Cr.P.C.

If the petitioner submits the receipt regarding depositing of Rs. 5,00,000/- (five lacs) in the account of Jai Prakash University, Chapra, within two months, the provisional bail of the petitioner shall be confirmed by the court below. If the petitioner fails to submit the receipt of showing the deposit of Rs. 5,00,000/- (five lacs), the grant of relief will be treated to have been withdrawn and bail bond would be treated to have been cancelled.

Accordingly, the application is disposed of.

(Shivaji Pandey, J)

Vinay/-

U		T	
---	--	---	--

