

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37465 of 2017

Arising Out of PS.Case No. -101 Year- 2016 Thana -VIGILANCE District- PATNA

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Md. Gholam Mustafa, son of Late Sadiruddin Ahamad, R/o Sahebganj,
Champanagar, P.S.- Kotwali, Bhagalpur.

.... Petitioner

Versus

The State of Bihar through the Vigilance Department, Patna

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa

For the Opposite Party/s : Mr. Amresh Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 19-08-2017

Heard learned counsel for the petitioner.

The petitioner is apprehending his arrest in connection with Special Case No. 43 of 2016, arising out of Vigilance P.S.Case No. 101 of 2016 registered under Sections 420, 467, 468, 471, 472, 477A, 409, 120B of the Indian Penal Code and 13(2) read with 13(1)(d) of Prevention of Corruption Act.

Allegation against the petitioner is of defalcation of Government money which has been allotted to the University by the State Government and later on the University has allotted the same to one college.

Submission of learned counsel for the petitioner is that the allotment is of the year 2010, whereas petitioner was posted as Registrar of the J.P. University till 8.10.2009, as such, the



allegation is not related to the period of the petitioner.

Heard learned counsel for the Vigilance Department, who could not controvert the above submission.

Having heard both sides and in view of facts and circumstances, let petitioner surrender before the court below within a period of four weeks and on his so surrendering he shall be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Vigilance, North Bihar, Muzaffarpur, in connection with Special Case No. 43 of 2016, arising out of Vigilance P.S.Case No. 101 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further condition is that one of bailors shall be a local person having sufficient immoveable properties within the jurisdiction of court concerned and he will co-operate in investigation, failing which his bail bond shall be liable to be cancelled.

(Vinod Kumar Sinha, J)

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