

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20399 of 2017

Arising Out of PS.Case No. -100 Year- 2016 Thana -VIGILANCE District- PATNA

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1. Dr. Tapaswi Prasad Singh son of Late Ganga Prasad Singh resident of village - Krishnadaspur, P.S. Kahalgaon, Bodhchak, District - Bhagalpur at present R/o Mohalla - Dahiyawa Tola, Sona Sadan, Bypass Road, P.S. Muffasil, District Chapra the then Registrar, Retired from Department of Physics, J.P. University, Chapra.

.... Petitioner/s

Versus

1. The State of Bihar Through Director General, Vigilance, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan

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

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

5 02-08-2017 Heard learned counsel for the petitioner and learned counsel for the Vigilance.

The petitioner seeks anticipatory bail in a case instituted for the offences 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.

Primary allegation has been made that petitioner and others have conspired and misappropriated the fund which was allotted to College for payment of respective teaching and non-teaching staffs and they did not make payment to them. All accused persons have pocketed certain amount of the



fund.

Learned counsel for the petitioner submits that First Information Report has been lodged with misappropriation of fund during period 2005-2010. He has placed reliance on orders dated 6.12.2011 and 4.1.2013 (Annexure-2 to this petition) from where it appears that petitioner was appointed as Registrar vide letter dated 6.12.2011 and was relieved on 4.1.2013. He has further submitted that matter of misappropriation is not related to the period from 6.12.2011 to 4.1.2013 but period relates before joining of the petitioner as Registrar.

Learned counsel for the Vigilance has tried to justify the action of lodging criminal case against the petitioner.

Looking to the facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let petitioner, namely, Dr. Tapaswi Prasad Singh, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Vigilance, North Bihar, Muzaffarpur in connection with Patna Vigilance P.S. Case No. 100 of 2016, Special Case No.42 of 2016, subject to the conditions as laid down under Section



438(2) of the Code of Criminal Procedure. It is made clear that if the petitioner will not co-operate during course of investigation and join for interrogation the police will be at liberty to file an application for cancellation of bail.

(Shivaji Pandey, J)

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