

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39761 of 2017

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

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Gopal Prasad Arya @ Prof. Gopal Prasad Arya, Son of Late Kanhaiya Lal Arya, Resident of Mohalla- East Chitragupta Nagar, P.S.- Patrakar Nagar, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar through Vigilance.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rana Vikram Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 08-09-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Special Case No. 43 of 2016 arising out of Vigilance P.S. Case No. 101 of 2016 instituted for the offence under Sections 420, 467, 468, 471, 472, 477(A), 409, 120(B) of the Indian Penal Code and Sections 13(2) read with Section 13(1)(d) of Prevention of Corruption Act, 1988.

It has been submitted that petitioner was the examination controller in J.P. University, Chapra. He has nothing to do with the embezzlement of the money which is alleged to have been done by the Principal and other officials of the concerned college namely, Baba Shridhar Das Degree College, Rampur (Kadna) Garkha. It has further been submitted that other examination controllers with similar allegation have been granted anticipatory bail by a coordinate Bench of this Court vide order dated 23.06.2017 and 19.08.2017 passed in Cr.



Misc. Case Nos. 13527 of 2017 and 37465 of 2017 respectively.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Special Case No. 43 of 2016 arising out of Vigilance P.S. Case No. 101 of 2016, he shall be released on anticipatory 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, North Bihar, Muzaffarpur, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

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(Sanjay Priya, J)

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