

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38357 of 2017

Arising Out of PS.Case No. -101 Year- 2016 Thana -C.B.I CASE District- MUZAFFARPUR

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1. Bijaya Pratap Kumar @ Prof. Bijay Pratap Kumar @ Vijay Pratap Kumar, Son of Late Shivrath Kumar, Resident of Prabhunath Nagar, P.S.- Muffasil Chapra, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar Through Vigilance.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandeep Kumar.

Mr. Rana Vikram Singh

For the Opposite Party/s : Mr. Rabindra Kumar AC to Mr. Ramakant Sharma (L.O.,Inc.,Vigi)

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 19-08-2017 The petitioner is apprehending his arrest in connection with Special Case No. 43 of 2016, arising out of vigilance P.S. Case No. 101/2016 registered for offences punishable under Sections 420, 467, 468, 471, 472, 477(A), 409 and 120B of Indian Penal Code.

Allegation against the petitioner, who was registrar is of defalcating the amount allotted to the university for distribution to colleges.

It has been submitted on behalf of the petitioner that in this case cheque was prepared on .9.12.2015 and disbursement was made on 09.01.2016, whereas, the petitioner had discharged his function as a Registrar from 08.10.2009 to 05.12.2011 and



04.01.2013 to 27.05.2014 as such no disbursement was made during this period and he has falsely been implicated in this case.

Learned counsel for the State opposed the prayer for bail and submitted that the disbursement was made for the period when the petitioner was Registrar of the university.

Having heard both sides, considering the facts and circumstances of the case and also that the alleged disbursement was not made during the period when he was Registrar, as such, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Vigilance, North Bihar, Muzaffarpur, in connection with Special Case No. 43 of 2016, arising out of vigilance P.S. Case No. 101/2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner shall cooperate in the



investigation and make himself available as and when required by the police and on the event of failure on his part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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