

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.968 of 2018

Arising Out of PS.Case No. -72 Year- 2016 Thana -VIGILANCE District- PATNA

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1. Tribhuwan Singh, Secretary, Kuwar Singh College, Ara Son of Late Bir Bhanjan Singh, Resident of Village- Bagh Majhaua, P.S.- Koilwar, District- Bhojpur, Ara. at present Advocate High Court, Patna, Sitting Table No.6 Advocate Association, Patna High Court, Patna Reg No. 1567/2002.

.... Petitioner/s

Versus

1. The State of Bihar Through Special Vigilance, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Usha Rai

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

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 15-02-2018 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Vigilance case no. 72 of 2016 registered for the offences punishable under Sections 406, 409, 420 and other sections of Indian Penal Code and 13(2) and 13(1)(D) of Prevention of Corruption Act.

The allegation in the present case is regarding administrative and financial irregularities being committed by the governing body of the College and in the process, some payments were made to unauthorized employees though the same has been said to have been paid by cheques. The petitioner is the Secretary



of the College and the allegation against him and other persons of the governing body is regarding administrative irregularity and financial irregularity amounting to a sum of Rs. 1 crore.

The learned counsel for the petitioner submits that the Principal and some of the other similarly situated co-accused persons have already been granted bail and as far as petitioner is concerned, there is no allegation of embezzlement of the amount against him and the only allegation is regarding signing of some cheques which were paid to employees who are said to have not been working on sanctioned posts. It is further submitted that the petitioner is ready to join any further investigation or the trial and is willing for imposition of such conditions as may be imposed by this Court and since the present case is based on documentary evidence, no further interrogation of the petitioner is required.

In view of the fact that the present case involves defalcation of money and the same involves documentary evidence as also the fact that the charge-sheet has been filed, it would be appropriate to admit the petitioner to anticipatory bail but subject to certain conditions.

Having regards to the facts and circumstances of the case, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail. Accordingly, the abovenamed



petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from today, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Vigilance 1st, Patna in connection with Vigilance case no. 72 of 2016 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

It is further directed that the petitioner would be present before the concerned Court, on the date fixed, and in case of two consecutive defaults in his appearance before the concerned Court on the appointed day, the present privilege of anticipatory bail shall stand cancelled automatically.

(Mohit Kumar Shah, J)

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