

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41652 of 2018

Arising Out of PS. Case No.-60 Year-2017 Thana- C.B.I CASE District- Muzaffarpur

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Anil Kumar, Son of Late Kripal Sharan, resident of Flat No. 104,
Vasundhara Apartment, Kankarbagh, P.S.- Kankarbagh, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar, through the Director Vigilance Investigation Bureau,
Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gyan Prakash, 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 19-07-2018 Heard learned counsel for the petitioner, learned
counsel for the Vigilance and the State.

The petitioner apprehends arrest in Special Case No.
28 of 2017 arising out of Vigilance P.S. Case No. 60 of 2017
instituted for the offence under Sections 420,467,468,471,166
(A),120 (B) of the IPC and Section 13(2) read with Section 13
(1)(d) of the Prevention of Corruption Act, 1988.

Learned counsel for the petitioner submits that he
was nowhere participant in all the illegalities committed by the
then Principal of the College namely Sri Arjun Prasad Yadav
with the connivance of the Dean Students Welfare and other
Authorities of University. The petitioner has functioned as
Registrar from May 2014 to November 2014.

Learned counsel for the petitioner has further



submitted that the seat has been enhanced by the then Dean, Student's Welfare vide letter dated 18.09.2012, which is annexed as Annexure-4 to this petition.

Learned counsel for the petitioner submits that the main person who was responsible in enhancement of the seats beyond the permissible limit was the Principal of the College and Dean, Student's Welfare. This petitioner has nothing to do with the enhancement of the seats. It has been further submitted that Comptroller of the Examination with similar allegation has been granted anticipatory bail by this Court vide order dated 12.07.2018 passed in Cr. Misc. No. 40762 of 2018.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner, named above, in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Special Case No. 28 of 2017, arising out of Vigilance P.S. Case No. 60 of 2017 to the satisfaction of learned Special Judge, Vigilance, North Bihar, Muzaffarpur, subject to condition as laid down u/S 438 (2) of the 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 dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioner and (3) if the 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.

(Sanjay Priya, J)

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