

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53415 of 2018

Arising Out of PS. Case No.-104 Year-2016 Thana- C.B.I CASE District- Muzaffarpur

Dr. Dwijendra Kumar Gupta @ Dr. Dwijendra Gupta, S/o B. Ramchandra Gupta @ Ramchandra Gupta, R/o B-169 Mehdauri Awas Vikash Colony, P.O.- Teliaganj Civil Line, P.S.- Shivkuti, District- Allahabad (Uttar Pradesh).

... .. Petitioner/s

Versus

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

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gyan Prakash, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 11-12-2018

Heard.

The petitioner apprehends his arrest in connection with Vigilance P.S. Case No.104 of 2016 registered under Sections 420, 467, 468, 471, 472, 477(A), 409 and 120(B) of the Indian Penal Code besides Section 13(2) read with Section 13(1)(d) of the Prevention of Corruption Act, 1988.

The accusation is that Rs.1, 34,85,000/-, for the Sessions 2005-2008, Rs.50,00,000/- and Rs.2,75,26,600/-, for the Sessions 2006-2009 and Rs.2,79,19,800/- for the Sessions 2007-2010, as grant-in-aid, was sent by the J.P. University, Chapra, for distribution amongst the teaching and non-teaching staff of Sri Mahendra Das Degree College, Mathia, Nechua, Jalalpur, Gopalganj, but some staffs were found appointed illegally.



Learned counsel appearing on behalf of the petitioner submits that the petitioner is not named in the F.I.R. and as he was the Vice Chancellor of the J.P. University, Chapra in between 04.03.2014 to 02.12.2015, due to that reason, the petitioner has falsely been implicated in this case. Further submission is that co-accused Dr. Tapaswi Prasad Singh, who was the Registrar of the J.P. University, Chapra, has already been granted the privilege of pre-arrest bail by this Court vide order dated 27.07.2017 passed in Criminal Misc. No.19786 of 2017.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Vigilance, North Bihar, Muzaffarpur, in connection with Special Case No.46 of 2016, arising out of Vigilance P.S. Case No.104 of 2016, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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