

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15833 of 2018

Arising Out of PS.Case No. -35 Year- 2017 Thana -SABOUR District- BHAGALPUR

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Mukesh Kumar Wadhwani, S/o Radha Krishna Wadhwani, R/o University Colony, P.S.- Sabour, District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar through Vigilance.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. B.K. Sinha, Sr. Advocate.
Mr. Ranjan Kumar Sinha, Advocate.
For the Opposite Party/s : Mr. Ramakant Sharma, Sr. Advocate
(L.O. Inc., Vigilance)
Mr. Rakesh Kumar Sharma, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 27-03-2018 Heard learned counsel for the petitioner and learned
counsel for the Vigilance.

The petitioner apprehends his arrest in **Special Case No. 79A of 2017/4 of 2017 arising out of Sabour P.S. Case No. 35 of 2017** instituted for the offence under Sections 409, 420, 467, 468, 471, 120(B) of the Indian Penal Code besides 13(1)(d) of P.C. Act pending in the Court of Special Judge Vigilance 1st, Patna.

Learned counsel for the petitioner has submitted that petitioner is not named in the First Information Report. The main allegation is against Dr. Meva Lal Chaudhry, Vice Chancellor and Chairman of the Selection Committee of the University. The



petitioner was University Professor, Department of Agricultural Economics B.A.C. Sabour in the same University. He was assigned to act as Director Administration in addition to his own duty from 7th July, 2011 to 1.5.2013 by Vice Chancellor. The selection of Assistant Professor cum Junior Scientist was done by three committees, one Screening committee, 2nd document verification and 3rd for selection committee. The petitioner has no role to play in the aforesaid committee. It has further been submitted that petitioner has only abided by the order of the Chairman of the Selection Committee by issuing appointment letter. He has no role in appointment and selection of the candidates.

Learned counsel for the petitioner has further submitted that Vice Chancellor Meva Lal Choudhary has already been granted anticipatory bail by a coordinate Bench of this Court vide order dated 22.08.2017 passed in Cr. Misc. 13723 of 2017.

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. 79A of 2017/4 of 2017 arising out of Sabour P.S. Case No. 35 of 2017**, 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 1st, Patna**, 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 his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond 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.

(Sanjay Priya, J)

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