

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40762 of 2018

Arising Out of PS.Case No. -60 Year- 2017 Thana -VIGILANCE District- PATNA

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1. Dr. Shakil Ahmad Ata, S/o Md. Ataullah, Associate Professor, Political Science, Ram Jaipal College at Mahmood Chak, P.S.- Chapra Town, District- Chapra.

.... Petitioner/s

Versus

1. 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, LO, I/c, Vigilance

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 12-07-2018

Heard learned counsel for the petitioner and learned counsel for the Vigilance.

Petitioner apprehends his arrest in **Special Case No.27 of 2017 arising out of Vigilance P.S. Case No.60 of 2017** instituted for the offence under Section(s) 420, 467, 468, 471, 166-A, 120-B Indian Penal Code and Section 13(1)(d) of the Prevention of Corruption Act, 1988.

Counsel for the petitioner submits that petitioner was Controller of Examination in J P University. His tenure was from 31.01.2012 to 25.07.2012 and from 15.05.2015 to 05.03.2016. Petitioner is nowhere participant in the irregularities committed by the then Principal of the DBSD Degree College, Garkha, with the connivance of the then authorities of the JP University. Enrollment of student is within the domain of



Principal and Dean, Student Welfare. The Examination Controller has nothing to do with enrollment of students.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with **Special Case No.27 of 2017 arising out of Vigilance P.S. Case No.60 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 the **Special Judge, Vigilance, North Bihar, Muzaffarpur**, 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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