

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.73509 of 2018**

Arising Out of PS. Case No.-9 Year-2018 Thana- VIGILANCE District- Patna

Md. Noorul Islam @ Md. Noor Islam @ Md. Noor Islam, son of Abdul Majeed, r/o. Vill. Simmal Tola, Madhepur, P.S. Balrampur, District Katihar.

... .. Petitioner/s

Versus

The State Of Bihar Through Director General, Vigilance Bureau, Circular Road, Patna

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Nafisuzzoha

For the Opposite Party/s : Mr.Anjani Kumar L.O.,Inc.,Vigilance

**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**  
**ORAL ORDER**

3      12-03-2019                      Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 166(A), 420, 467, 468, 471, 477(A) and 120(B) IPC and Sections 13(2) read with Section 13(1)(D) of the Prevention of Corruption Act, 1988 registered in connection with Special Case No. 02/2018, arising out of Nigrani (Vigilance)P.S. Case No. 09/2018.

3. It is submitted that the petitioner has been falsely implicated merely because he happens to be one of the members of the Selection Committee on the accusation that relatives of the Mukhiya and the Panchayat Secretary, who were also members of the Selection Committee, were appointed and to which the petitioner was a party. It is submitted that at best departmental proceeding may have been initiated and the criminal case cannot be maintained.

4. Learned counsel for the Vigilance Investigation Bureau appears and opposes the anticipatory bail petition



submitting on the basis of case diary that several irregularities have been committed by the Selection Committee to which the petitioner was also a member. It is pointed out from para 16 of the case diary that, inter alia, two teachers namely, Vandana Kumari and Abha Kumari were selected even though they were not applicants nor they appeared for counseling. The petitioner claims clean antecedents.

5. Having regard to the nature of accusations and gravity of offence alleged, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. Bail petition stands dismissed.

6. If the petitioner surrenders and seeks regular bail before the learned Court below the same shall be considered on its own merit in accordance with law and without being prejudiced by any observation in the present order, expeditiously.

**(Vikash Jain, J)**

Chandran/-

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