

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75441 of 2018

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

Arjun Prasad Yadav @ Arjun Yadav Son of Late Hira Lal Rai @ Late Hira Rai Resident of Village-Moharampur, P.S.-Garkha, District-Saran.

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Superintendent Of Police, Department Of Vigilance, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Pd.singh, Sr. Adv. Mr. Sanjay Kumar Mishra
For the Vigilance	:	Mr.Ajay Mishra

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 15-04-2019 Heard the parties.

The petitioner is apprehending his arrest in connection with Vigilance Case No.60 of 2017 , registered for offences punishable under Sections 420, 467, 468, 471, 166A, 120B of the Indian Penal Code and Section 13(2) read with Section 13(1) (d) of the Prevention of Corruption Act, 1988.

Allegation as per FIR is that the students were allowed to appear in the examination of Part-I, II and III though they were not registered with the University and as such their results were withheld, thereafter they filed a Writ before the Hon'ble Court, in which there was direction to inquire into the matter and on inquiry, it appears that the petitioner and other accused



persons allowed more students than the total number of students which was allowed by the University and as such the same has been caused and the petitioner was the Principal at that time.

Submission of the learned counsel for the petitioner is that later on, on the letter of the Registrar, he has sent the names of the students with the registration fee and as such he is not responsible for that and for some period one Niranjana Kumar was the Principal of the College and Niranjana Kumar has been granted bail by Co-ordinate Bench of this Court vide order dated 7.8.2018 passed in Cr. Misc. No.44837 of 2018 and several other accused persons including the Registrar and others have been granted bail by a Co-ordinate Bench of this Court.

On the other hand submission of the learned counsel for the Vigilance is that the evidence collected during the course of investigation clearly shows that students were allowed more than the number approved by the University, as such their results were withheld and at that time, the petitioner was the Principal of the College.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within



a period of six weeks from the date of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned -Special Judge, Vigilance, North Bihar, Muzaffarpur in connection with Special Case No.28 of 2017 arising out of Vigilance Case No.60 of 2017, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure, with further condition that he will appear before the Investigating Officer as and when required and produce all the papers before him.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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