

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59003 of 2019

Arising Out of PS. Case No.-112 Year-2016 Thana- MOTIHARI MUFASIL District- East
Champaran

-
1. DR. VINAY KUMAR VERMA, aged about 71 years, Male, Son of late Anirudh Prasad, Resident of Village - Chitragupta Palace, mohalla- Wakchhad Toal, P.S.- Town Motihari, Dist.- East Champaran
 2. Dr. Shobha Kant Chaudhary, aged about 77 years, Male, Son of Late Lal Bihari Chaudhary, Resident of Village - Malahi Tola Belbanwa, P.S.- Town Motihari, Dist.- East Champaran
 3. Prof. Nasim Ahmad @ Sheikh Nasim Ahmad, aged about 82 years, Male, Son of Late Bubus Neshant Manjir, Resident of Village - Baluatal, P.S.- Town Motihari, Dist.- East Champaran ... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr. Umesh Chandra Verma, Adv.
For the Opposite Party : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 18-09-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with
Tr. No. 21 of 2019 arising out of Motihari Muffasil P.S. Case
No. 112 of 2016 for the offences alleged under Sections 420,
467, 468, 471, 474 and 34 of the Indian Penal Code.

The accusation is that Prof. (Dr.) Vinay Kumar Verma
(petitioner no. 1), Prof. (Dr.) Shobha Kant Choudhary
(petitioner no. 2) and Prof. Nasim Ahmad (petitioner no. 3), the
Principal, Secretary and Ex-Chairman of the Maharaja Harendra
Kishore Inter College, Motihari, in collusion of the other



members of the Management Committee, without registration of the Committee and without creation of the post, illegally appointed 96 persons, while maximum post of 38 persons was to be filled, took the grant of Rs.91,69,000/- of the periods of 2006-08 and 2007-09 and distributed the same amongst illegally appointed teachers and staff.

The learned counsel appearing for the petitioners submits that after investigation, police submitted the final form on 06.10.2018, but, differing with the final form, the Court below took the cognizance of the offence under Sections 420, 467, 468, 471, 474 and 34 of the Indian Penal Code on 26.04,2019. Further, submission is that it would appear from the first information report that allegation is of distributing the amounts received by the Management Committed of the College amongst the teachers and staff appointed by the Management Committee, having no requisite qualifications.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Tr. No. 21 of 2019 arising out of Motihari



Muffasil P.S. Case No. 112 of 2016 shall be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, East Champaran at Motihari, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

U		T	
---	--	---	--

