

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57986 of 2022

Arising Out of PS. Case No.-407 Year-2021 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

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1. RAJEEV KUMAR, S/O LATE R.S. SINHA, Resident of Madhukam Lane, Opp. Panchtarni Mandir, Hehal, P.S.- Hehal, District- Ranchi, Jharkhand.
 2. VIVEK KUMAR, S/O RAGHURAJ SHARAN, Resident of Sundho Rati, P.S.- Goraul, District- Vaishali.
 3. RAJESH KUMAR, S/O BRIJ BIHARI SINGH, Resident of Indira Vikash Colony Mukharji Nagar, Model Town, P.S.- Mukharji Nagar, District- North-West Delhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate
For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 06-02-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 406 and 420 of the Indian Penal Code.

As per the prosecution case, a contract was entered in between L.N.M.U. and M/s NCCF of India Limited for



management of data regarding admission and publication of result of the students of the university. It is further alleged that on 17.05.2021, a new tender was invited and thereby in place of M/s NCCF of India Limited, a new firm has been allotted the contract for the said work. It is further alleged that in the said bidding process, the firm M/s NCCF of India Limited had also participated but it has been declared ineligible for the technical reasons in scrutiny round itself. It is further alleged that entire data and equipment of the university was to be returned by the firm to the university, however, upon conclusion of contract despite of several reminders and notices, the said firm did not hand over the data of the concerned period to the university. It is further alleged that the said firm is deliberately interfering in academic curriculum of university and violating the terms of contract so entered with it. It is also further submitted that the officers of the firm have misbehaved with the employees of the university on 13.11.2021. It is further submitted that the Regional Manager of the said firm M/s NCCF of India Limited is Rajesh Kumar, whereas Vivek Kumar and Rajeev Kumar is the employees of the said firm.

Learned counsel for the petitioners has submitted that the petitioners are innocent and have been falsely implicated in this case. He has further submitted that as per direction of the Hon'ble High Court in C.W.J.C. No. 18606 of 2021, the said data



was provided by the petitioners to the university and the receipt of the same has been made as Annexure-II of the bail petition. The petitioners have got clean antecedent as stated in para 3 of the bail petition.

Learned A.P.P. for the State has fairly submitted that all required data was provided by the petitioners to the university.

Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/ surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bonds of Rs. 20,000/-(Twenty Thousand)each with two sureties of the like amount each to the satisfaction of Court concerned, Darbhanga in connection with Darbhanga University P.S. Case No. 407 of 2021, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

The application stands allowed.

(Chandra Prakash Singh, J)

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