

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50277 of 2023

Arising Out of PS. Case No.-21 Year-2023 Thana- NAUHATTA District- Rohtas

Sanjay Kumar Tripathi Son Of Late Rabindranath Tripathi Resident Of
Village-Kajipur, Police Station-Simri, District-Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan, Adv

For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

7 01-04-2024 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the state.

2. The petitioner apprehends his arrest in connection with Nauhatta P.S Case No. 21 of 2023 instituted under Sections 420, 409, 406 of the Indian Penal Code.

3. As per the prosecution case, the petitioner is posted as Incharge- Principal at Sub- Divisional Degree Colelge, Nauhatta, Rohtas. The Government has allotted Rs. 25 lacs for the new degree. The petitioner has violated the rules contained in letter no. 927/1984 dated 02.06.2020 and 10.01.2020 respectively and has appointed the candidates



on contract basis and the petitioner defalcated the government amount of Rs. 18,06,300/-.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. It is further submitted that it is evident from the FIR that appointments or decisions were taken by three men committee and they are principals of different colleges including the petitioner and if there are any discrepancy, all the three are equally liable. A supplementary affidavit has been filed by learned counsel for the petitioner, in which the petitioner has stated in paragraph 7 that three men Committee found that appointments and payment of candidates were made according to the permission of the Vice Chancellor and recommended to revoke the suspension vide Memo No. 243 dated 07.03.2024, with effect from 11.01.2023. The petitioner has clean antecedent.

5. Learned APP for the State Opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of the parties, in the event of his arrest or surrender before the Court below within six weeks from



today, the petitioner be released on bail upon furnishing bail bonds of Rs, 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st class, Rohtas at Sasaram/ concerned court in connection with Nauhatta P.S. Case No. 21 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Chandra Prakash Singh, J)

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