

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.7336 of 2020

Arising Out of PS. Case No.-46 Year-2019 Thana- VIGILANCE District- Patna

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1. Rubi Kumari D/o Shrikant Pandey Resident of Village- Anadpuri, P.O.- College More, P.S.- Sadar, District- Hazaribagh (Jharkhand)
 2. Sivesh Pandey S/o Ghanshyam Pandey Resident of Village- Mokama, P.O. and P.S.- Mokama, District- Patna.

... .. Petitioners

Versus

1. The State of Bihar
2. The Vigilance Investigation Bureau, Patna. Bihar

... .. Opposite Parties

Appearance :

For the Petitioners	:	Mr. Rama Kant Sharma, Sr. Advocate Mr. Suman Kumar, Advocate
For the State	:	Mr. Shyameshwar Dayal, APP
For the Vigilance	:	Mrs. Archana Palkar Khopde, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 29-02-2020 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor appearing on behalf of the State.

The petitioners are apprehending arrest in connection with Special Case No. 43 of 2019 arising out of Vigilance P.S. Case No. 46 of 2019 for offences under Sections 420, 467, 468, 471, 474 and 120B of the Indian Penal Code and Section 13(2) read with Section 13(1)(a) of the Prevention of Corruption Act.

Learned senior counsel for the petitioners submits that the petitioners have no criminal antecedent and they are only



trustees of the trust running Magadh Technical Training College, Gaya.

The allegation against Magadh Technical Training College, Gaya is that the College was taking admission of the students without proper recognition or permission to run such colleges by the competent authority.

Learned counsel appearing on behalf of the Vigilance Department would submit that a large number of students have been duped by taking their admissions in the aforesaid College without proper recognition.

Considering the fact that the petitioners are trustees of the College and administration and affairs of the College was being directly run by others and not by the petitioners, this Court is inclined to grant bail to them. Subject to the condition that both the petitioners shall deposit bank guarantee of Rs. 5,00,000/- (Rupees five lakh) each and deposit their passport, if any, in the court below and on deposit of the bank guarantee and passport, the court below will release the petitioners, above-named on bail, in the event of their arrest or surrender within one month from today, on furnishing bail bond of Rs. 50,000/- (Rupees fifty thousand) each with two sureties of the like amount each to the satisfaction of Special Judge, Vigilance,



Patna in connection with Special Case No. 43 of 2019 arising out of Vigilance P.S. Case No. 46 of 2019 and subject to the other conditions as laid down under Section 438(2) of the Cr.P.C.

(Anil Kumar Upadhyay, J)

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