

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29499 of 2015

Arising Out of PS.Case No. -86 Year- 2014 Thana -ANDER District- SIWAN

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1. Mannan Ahmed, Son of Late Usman, resident of village- Gajiapur, P.S.- Andar, District-Siwan. Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey

For the Opposite Party/s : Mr. Subhash Chandra Mishra (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 30-10-2015 Heard learned counsel for the petitioner and learned A.P.P. representing the State.

The petitioner seeks bail in connection with Andar P.S. Case No. 86 of 2014 registered for the offences punishable under Sections 420, 406 and 409 of the Indian Penal Code.

Allegedly Moinul Haque Khan opened seven accounts in the post office and gave the passbooks to the petitioner, who was Postmaster in that branch but the petitioner forging the signature of Moinul Haque Khan withdrew the amount of Rs. 3,50,000/- and misappropriated the Government exchequer.

Submission is of false implication and that during investigation it has come that signature of Moinul Haque Khan was compared with the withdrawal slip and the same was found true which is evident from Para 21 and 22 of the case diary. Moreover the petitioner being a government employee is suffering

in custody since 27.05.2015 and has been sufficiently penalized at this stage. Chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and, as such, petitioner deserves sympathetic consideration to which the learned A.P.P. opposes.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with prosecution evidence and, as such, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Learned J.M. 1st Class, Siwan arising out of Andar P.S. Case No. 86 of 2014 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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