

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12945 of 2016

Arising Out of PS.Case No. -184 Year- 2014 Thana -BALRAMPUR District- KATIHAR

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Md. Farooque Alam@ Md. Farooque Azam son of Late Mehdi Rahman,
R/o village- Hasna, P.S. Gayaghat, District- Muzaffarpur. Petitioner

Versus

State of Bihar & Anr... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rashid Izhar

For the Opposite Party/s : Mr. Binod Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 09-05-2016 Heard learned counsel for the petitioner and learned APP
for the Sate.

The petitioner seeks bail in connection with Balrampur (Telta) P.S. Case No. 184 of 2014 registered for the offences punishable under Sections 467, 468, 471, 420, 409 and 120B of the Indian Penal Code.

Allegedly, the petitioner, the then Block Agriculture Officer-cum-Incharge Sales Centre, Balrampur, and Shambu Kumar Singh received 3,260.20 quintals paddy in the Kharif Season 2012-13 but gave 2880.21 quintal paddy to the millers and rest 379.99 quintal paddy was misappropriated, resulting, both were directed to deposit Rs. 5,51,390/- with interest thereon but they did not deposit the same.

Submission is of false implication and that the



petitioner was not the incharge for any job, one Shambhu Kumar Singh was appointed as Executive to do all the needful work, the petitioner was transferred to Sursand in Sitamarhi and he handed over the charge on 19.06.2013 and thereafter, the petitioner has been made accused in this case. From the first information report itself it is apparent that the informant was directed to lodge the FIR as well as certificate case and without any fault the petitioner is suffering in custody since 29.01.2016, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence, 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 Shri D.K. Roy, J. M. Ist Class, Katihar in connection with Balrampur (Telta) P.S. Case No. 184 of 2014, subject to the conditions that one of the bailors must be a 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.

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(Jitendra Mohan Sharma, J)