

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.21618 of 2016

Arising Out of PS.Case No. -458 Year- 2014 Thana -SHEKHPURA District- SEKHPURA

1. Inzamamul Haque, son of Md. Sultan @ Sultan Ahmed, resident of Mohall/Village- Station Road, Near the Block, P.S.- Araria, District- Araria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pravin Kumar

For the Opposite Party/s : Mr. Satyendra Pd.(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

5 02-08-2016 Heard the learned counsel for the petitioner, the learned Additional Public Prosecutor and the learned counsel for the informant.

The petitioner apprehends his arrest in Sheikhpura P.S. case No. 458 of 2014 under Section 408 and 379 of the Indian Penal Code.

It is alleged that petitioner was appointed as accountant of the school of the informant but the petitioner did not hand over the accounts, money and thereby the petitioner misappropriated Rs. 11,19,543/-.

It is submitted that petitioner was not the accountant of the school and he did not commit criminal breach of trust of a



single farthing. The petitioner has not signed on any receipt and even during the course of investigation no chit of paper was shown that the petitioner kept money of the school with him. It is further submitted that Investigating Officer has not taken the specimen signature of the petitioner for verification of any document of the school.

On the other hand, the learned counsel for the informant vehemently opposed the prayer for anticipatory bail and submitted that petitioner was accountant and he was collecting money from the students. The petitioner was also getting income from other sources of the school but no paper is filed showing signature of the petitioner on any money receipts.

From the counter affidavit, it appears that one Neyaz was made assistant of the petitioner as accountant and petitioner was also entrusted to oversee the construction work of the school.

Considering the fact that there is no chit of paper to show that petitioner misappropriated any amount of the school, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the

satisfaction of the learned Chief Judicial Magistrate, Sheikhpura in Sheikhpura P.S. Case No. 458 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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