

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16308 of 2017

Arising Out of PS.Case No. -318 Year- 2016 Thana -MADHUBANI TOWN District-
MADHUBANI

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Md. Rustamul Qadri S/o Md. Hanif, Resident of Pachahi, P.S.- Madhepur,
District- Madhubani, Head Maulvi Madarsa Islamia, Nuria Pachani, Sakari,
Madhubani-cum- Centre Superintendent Mithila Teachers Training College,
Basuara, District- Madhubani.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dineshwar Mishra, Advocate.

For the Opposite Party : Mr. Ajay Kumar Jha, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 02-05-2017 Heard both sides.

The petitioner apprehends his arrest in Madhubani Town P.S. Case No. 318 of 2016 registered for the offences punishable under Sections 166(A), 120(B), 420, 467 and 468 of the Indian Penal Code.

The gist of the allegation is that the B.E.O., Rahika alleged that Md. Rustamul Qadri, Head Moulvi of Madarsa Islamiya Nuriya Pachahi, Sakari-cum-Centre Superintendent, Mithila Teachers Training College, Basuara and Md. Wasirul Quadri, Head Moulvi, Madarsa Ajijiya, Makrampur, Pandaul-cum-Centre Superintendent, Middle School, Jitwarpur did not submit the answer sheets of the examinations held on 30.05.2016



till 08:15 P.M. of that day.

Learned counsel for the petitioner submits that since there was raining the petitioner could not reach at the strong room. On the next day i.e. 01.06.2016 the answer sheets were deposited. There is no allegation of interpolation in the answer sheets. Similarly situated co-accused Md. Bashirul Quadri has already been enlarged on anticipatory bail vide order dated 01.03.2017 passed in A.B.P. No. 197 of 2017(Annexure-3). The case of the petitioner stands on the same footing.

It appears that the petitioner was also incharge and centre superintendent of Mithila Teachers Training College but, he did not deposit the answer sheets of the examinations held on 30.05.2016. The petitioner deposited the answer sheets on 01.06.2016 but, there is no allegation of interpolation in the answer sheets. The answer sheets were duly sealed.

Considering the facts aforesaid and the facts that similarly situated co-accused has already been enlarged on anticipatory bail, the petitioner above named, in the event of his arrest or surrender before the 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 Chief Judicial Magistrate, Madhubani in Madhubani Town P.S. Case No. 318 of 2016, 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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