

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29466 of 2017

Arising Out of PS.Case No. -135 Year- 2017 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

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1. Md. Intekhab Ansari, son of Md. Mobin Ansari, resident of
village/mohalla - Miscot, P.S. - Motihari Town, District - East
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Pandey, Advocate

For the Opposite Party/s : Mr. Binod Kumar 3, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 07-07-2017

Heard learned counsel for the Petitioner and the

State.

The Petitioner apprehends his arrest in Motihari
Muffasil P.S. Case No.135 of 2017 instituted for the offence
under Section(s) 409 Indian Penal Code pending in the Court of
the Chief Judicial Magistrate, East Champaran at Motihari.

There is allegation against the petitioner that he
misappropriated rupees seventy thousand allotted for construction
of kitchen shed and also gave illegal payment of rupees twenty
three thousand five hundred to his wife by getting her appointed
as cook.

Counsel for the petitioner has submitted that he has
purchased raw materials of rupees forty five thousand for



construction of kitchen shed and has deposited rupees twenty five thousand in the office. With respect to allegation that the petitioner illegally appointed his wife as Cook, learned counsel for the petitioner has denied such allegation.

Annexure-2 series are merely cash memos produced by the petitioner which cannot be taken into account as authenticated document that the money was spent for purchase of articles for construction of kitchen shed in the school. These documents merely create defence of the petitioner.

In view of such, this Court does not find it a fit case for grant of anticipatory bail.

Prayer is, accordingly, rejected.

The petitioner may surrender before the Court below and seek regular bail, which shall be considered and disposed of on its own merit without being prejudiced by this order.

(Sanjay Priya, J)

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