

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19047 of 2017

Arising Out of PS.Case No. -55 Year- 2014 Thana -RAGHOPUR District- SUPAUL

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Md. Mashaleuddin @ Md. Maslehuddin S/o-Md. Taslim, Resident of
Village-Madhura, Rajpur, P.S.-Kishanpur, District-Supaul.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Mr. Dilip Kumar

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 11-07-2017 Heard the learned counsel for the petitioner as well as
the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Raghopur P.S. Case No. 55 of 2014 for the offences punishable under sections 409 and 406/34 of the I.P.C.

Allegedly, the petitioner and co-accused Nilufarjawi, Headmistress of Urdu Primary School, Lalpur (Pipra) under the district of Supaul misappropriated the amount meant for Mid-day-meal scheme by wrongfully recording the attendance of the students and further misappropriated the amount meant for building construction.

Submission is of false implication and that there is no



specific allegation against the petitioner as to how the petitioner misappropriated the amount, the petitioner being a Government servant is not likely to jump such privilege of bail if such privilege is granted to him, Nilufar Jabin @ Nilufarjawi, the headmistress has already been allowed pre-arrest bail vide Cr. Misc. No. 38509 of 2014 vide Annexure-2 by another co-ordinate Bench of this Court and further Bibi Mariyum Khatoon has also been allowed pre-arrest bail vide Cr. Misc. No. 26189 of 2015 and as such the petitioner also deserves sympathetic consideration.

The learned A.P.P. fairly submits that other co-accused have been allowed bail.

In the facts and circumstances as stated above, the petitioner, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of. A.C.J.M. Birpur at Supaul in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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