

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52854 of 2017

Arising Out of PS.Case No. -469 Year- 2017 Thana -SUPAUL District- SUPAUL

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Abdur Rashid son of late Md. Subedar resident of village - Parsoni, P.S.
Supaul, District - Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Janki Nandan Prasad

For the Opposite Party/s : Mr. Sri Manish Kumar 2

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 04-12-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Supaul P.S. Case No.
469 of 2017 instituted for the offence under Sections-419, 420, 467,
468, 120(B)/34 of the Indian Penal Code.

It is alleged in the written report that the petitioner was
appointed as Shikchha Mitra in the year 2003 on the basis of his
passing Fokaniya examination securing total marks 858 according to
merit list. It is further alleged that the petitioner did not pass Fokaniya
examination even then, merit list shows that he has passed the Fazil in
second division having total marks 378.

Counsel for the petitioner has submitted that he was
appointed as Shikchha Mitra on contract basis for a period of 11 months
on 27-02-2003 which expired on 27-01-2004. Thereafter, as per
appointment letter, he gave his joining in Urdu Primary School,



Personi, Supaul on 02-03-2003. Counsel for the petitioner has submitted that he was put under suspension for the aforesaid charges and facing departmental proceeding. It has further been submitted that the petitioner will cooperate in the departmental proceeding.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of 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 in connection with in Supaul P.S. Case No. 469 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Supaul subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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