

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51879 of 2018

Arising Out of PS. Case No.-110 Year-2010 Thana- DARBHANGA District- Darbhanga

Md. Idrish Shah @ Md. Idrish Shah, Son of late Md. Siddique, resident of Village- Dhamhar, P.S.- Baheri, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Iqbal Asif Niazi

For the Opposite Party/s : Mr. Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL ORDER

2 09-10-2018

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 409,420 of the Indian Penal Code.

Allegation against the petitioner, who is a retired headmaster of the referred school is manifold. First, that he retired on 31.03.2010, without handing over charge, entire record of account was kept in his house and some construction work was not completed.

Submission of the learned counsel for the petitioner is that the petitioner filed representation time without number before the authorities to ask the in-charge headmaster to take over charge from the petitioner. But the order was not complied. Ultimately vide Annexure-3 to this petition the District Programme Officer asked the in-charge headmaster to comply the direction of D.M. regarding



taking over charge, failing which discretionary action would be taken. That took place in the year 2012 itself. Thereafter, vide Annexure-4, the in-charge headmaster was put under suspension for non-compliance of the aforesaid order. Moreover, at Annexure-9 is the certificate dated 26.03.2013 issued by the District Programme Officer that no dues is against petitioner of his service period.

Considering substance in the submission of learned counsel for the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs. 20,000/- (rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Darbhanga Town P.S. Case No. 110 of 2010, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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