

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70208 of 2018

Arising Out of PS. Case No.-347 Year-2017 Thana- MAJHAULIA District- West Champaran

NURSABHA KHATOON @ NURSABBA KHATOON, W/o Md. Imtiyaz
Ahmad, R/o Village- Bhoguri, P.O.- Bigwa, P.S.- Majhauria, District- West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pratap Sharma

For the Opposite Party/s : Mr. Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 07-12-2018 Heard learned counsels for the parties.

The petitioner being the Headmaster of Government Middle School, Bhogadi is apprehending arrest in a case registered for the offences punishable under Sections 409/34 of the IPC.

The accusation in the FIR is of excess withdrawal of the construction fund.

It is submitted by learned counsel for the petitioner that the main accusation is of inferior construction and the contractor has been granted anticipatory bail by a Bench of this Court vide order dated 16.1.2018 passed in Cr. Misc. No. 345 of 2018. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.



Learned APP submits that the FIR was registered after obtaining completion report.

Considering the fact that the contractor who is a co-accused has been granted anticipatory bail, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, West Champaran, Bettiah in connection with Majhaulia P.S. Case No. 347 of 2017 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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