

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.19532 of 2018**

Arising Out of PS.Case No. -128 Year- 2009 Thana -RAHIKA District- MADHUBANI

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1. MD. SHAHABUDDIN @ MD. SHAHABUDDIN SHAMS @ MD. SHAHABUDDIN SHAMS MANSURI S/o Anwarul Haque Resident of Village - Sugauna, P.S. - Rahika, District - Madhubani.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rajeev Kumar

For the Opposite Party/s : Mr. Sri Anuj Kumar Srivastava

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA**  
**ORAL ORDER**

2      05-04-2018                      Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with Rahika P.S. Case No. 128 of 2009 registered for the offences punishable under Sections 420 and 409 of the Indian Penal Code.

Admittedly, petitioner was headmaster of the concerned school whereas the complainant was Secretary.

The accusation against the petitioner is that the headmaster and agent withdrew huge amount for construction of building but did not complete the work.

Submission on behalf of the petitioner is that the work has already been completed and moreover, the complainant



has already filed compromise petition which has been annexed with this petition.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, 1<sup>st</sup> Madhubani in Rahika P.S. Case No. 128 of 2009 subject to condition as laid down under Section 438(2) of the Cr.P.C.

**(Hemant Kumar Srivastava, J)**

N.K/-

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