

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61020 of 2017

Arising Out of PS.Case No. -326 Year- 2016 Thana -JOKIHAT District- ARRARIA

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1. Zahid, son of Late Md. Kalim, resident of village Chaukta, P.S. Jokihat (Mahalgown), District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Ehteshamuddin

For the Opposite Party/s : Mr. Smt. Anita Kumari

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 12-01-2018 Heard the learned counsel for the petitioner and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Jokihat P.S. Case No. 326 of 2016 registered for the offence punishable under Sections 467, 468, 471, 409 and 420/34 of the Indian Penal Code.

The allegation is against the Director and Principal of Imamul Hind Acadamay Bhebhra Chowk, Jokihat with regard to misappropriation of scholarship amount of the students.

The learned counsel for the petitioner submits that the petitioner is non F.I.R. named accused person whose name has subsequently transpired during the course of investigation as a person, who was acting as a middlemen in withdrawing the said amount. It is further submitted that the police has submitted charge-sheet against the Principal and the Director of the said



Acadamay on 07.09.2017. However, the investigation has been kept open as against the petitioner herein, but no charge-sheet has been submitted. It is further submitted that the petitioner has a clean antecedent and he is ready to join investigation.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M-II, Araria in connection with Jokihat P.S. Case No. 326 of 2016 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

It is further directed that the petitioner shall join investigation and he should be present at the place where he is directed to appear by the investigating agency and in case, he does not cooperate with the investigation, the prosecution would be free to approach this Court for cancellation of bail.

(Mohit Kumar Shah, J)

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