

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38636 of 2018

Arising Out of PS.Case No. -205 Year- 2015 Thana -TURKAULIYA District-
EASTCHAMPARAN (MOTIHARI)

=====

MD. ATIULLAH @ ATIULLAH, S/o Md. Khalil, R/o Vill.- Mahui Devraj,
P.S.- Ramnagar, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 31-08-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Turkauliya (Banjariya) P.S. Case No.205 of 2015** instituted for the offence under Section(s) 406, 409, 420, 467, 468, 471 &120(B) Indian Penal Code.

Counsel for the petitioner submits that petitioner was posted as Junior Engineer as will appear from the written report itself. Work of the petitioner was to prepare estimate and after completion of work he has to enter about the work done in Measurement Book and also to check quality of the work. He has no role in opening the accounts in Post Office and issuing Job Cards. It is the job of *Mukhiya* and Panchayat Sewak.



Learned counsel for the petitioner further submits that it is mentioned in the impugned order that co-accused Raubja Khatoon (*Mukhiya*), her husband, Ash Mohammad Mian @ Ash Mohammad, and Babu Sah (Post Master) have already been granted anticipatory bail by coordinate Bench of this Court vide order dated 16.12.2015 passed in Cr. Misc. No.55261 of 2015.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with **Turkauliya (Banjariya) P.S. Case No.205 of 2015**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Chief Judicial Magistrate, East Champaran at Motihari**, subject to the conditions as laid down under Section 438(2) 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 his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond 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.

JA/-
Rohit Kr.

(Sanjay Priya, J)

U		T	
---	--	---	--

