

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.63602 of 2017**

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

MD. REHAN ALAM @ Rehan Alam S/o Late Md. Ayub, R/o Millat Nagar,  
Belwa, PS. Araria, Distt. Araraia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Manager Sah

For the Opposite Party/s : Mr. SRI TAPESHWAR SHARMA

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

3      07-02-2018              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 Araria 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 Academy 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 the person, who was instrumental in opening the bank accounts of the children. It is further submitted that the petitioner is a Bank



employee and has opened the accounts according to the norms of the Bank and in case, any complicity of the petitioner is found, he is always subject to appropriate action by the departmental authorities as also under the criminal laws. It is further submitted that at the moment, there being no concrete prima facie case against the petitioner herein, the petitioner may be granted anticipatory bail.

The learned A.P.P. for the State has submitted that the petitioner is the brother-in-law of the brother of the Principal of the aforesaid Academy and was instrumental in opening the accounts for the purposes of misappropriating the scholarship amount. It is further submitted that the petitioner was instrumental in collecting the Identity Cards and Aadhar Cards of the students with the sole purpose of opening the fake accounts for the purposes of misappropriation of the scholarship amount. Hence, the petitioner does not deserve the privilege of the anticipatory bail.

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 C.J.M., Araria in connection with Jokihat Araria 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 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.

It is further directed that the petitioner would mark his attendance before the Officer-in-Charge of the concerned police station at 10:00 am. on each **Sunday** of the week and in the event of two consecutive defaults, the present privilege of the anticipatory bail shall stand cancelled automatically.

**(Mohit Kumar Shah, J)**

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