

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27739 of 2018

Arising Out of PS.Case No. -324 Year- 2016 Thana -JOKIHAT District- ARRARIA

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1. Mahboob Alam, Ex-Mukhiya of Gram Panchayat, son of Nabi Hasan
Resident of Village - Masurya, Police Station - Jokihat, District - Araria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate

For the Opposite Party/s : Mr. Anil Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-05-2018 Heard the parties.

The petitioner seeks anticipatory bail in connection with
Jokihat (Mahalgaon) P. S. Case No. 324 of 2016 corresponding to
G.R. No. 3450 of 2016, registered for offences punishable under
Sections 420,406, 409, 120 (B), 323 and 504/34 of the Indian
Penal Code.

Allegation against the petitioner is of defalcation of
widow pension of the informant. It is also alleged that the
petitioner is a poor lady and her widow pension was distributed
vide Account No. 1599/10-11 but no widow pension was
deposited in the account of the informant.

Learned counsel for the petitioner submits that he is
ex-mukhiya of Panchayat and as such he has falsely been



implicated and he is ready to abide by any condition imposed on him, if he is enlarged on bail.

Learned A.P.P. opposes the prayer for bail .

Having heard both sides and in view of the facts and circumstances discussed above, let the petitioner, above named, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Jokihat (Majalgaon) P.S.Case No. 324 of 2016 corresponding to G.R. No. 3450 of 2016, subject to the condition that as laid down under Section 438 (2) of the Code of Criminal procedure.

With following conditions:-

- i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- ii) The petitioner will not induce any witness or tamper with the evidence.
- iii) The petitioner shall co-operate in the



investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

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(Vinod Kumar Sinha, J)

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