

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9967 of 2018

Arising Out of PS.Case No. -263 Year- 2017 Thana -MANSI District- KHAGARIA

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Md. Shakir son of late Qazi Abdul Nazir @ Qazi Abdul Mazid, Resident of
Village- Bari Ballia, P.O. & P.S.- Lakhimini, District-Begusarai.

.... Petitioner/s

Versus

1. State of Bihar
2. The Assistant Superintendent of Post, Khagaria, Eastern Division,
Khagaria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Bhardwaj, Advocate

For the UOI : Mr. Anjani Kr. Sharan

(Posted O.P. No. 2)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 30-03-2018 Heard learned counsel for the petitioner and the

State.

The petitioner apprehends his arrest in Mansi P.S.
Case No. 263 of 2017 instituted for the offence under Section(s)
409, 420, 467, 468, 471 and 34 of the Indian Penal Code and
under section 66(D) of Information and Technology Act.

Learned counsel for the petitioner submits that the
petitioner was posted as sub- Postmaster in Mansi Post Office
from 11.11.2011 to 05.08.2014. From the allegation in the written
report, it will appear that there is specific allegation against co-
accused Sanjeev Kumar of withdrawing the money. The petitioner
has no knowledge of computer operation. It is also submitted that
the present Branch of the petitioner became CBS at a much



belated stage sometime in April, 2014. Learned counsel for the petitioner further submitted that the petitioner's liability was assessed to the tune of Rs. 7,40,000/-, which was also admitted in the counter affidavit filed by the opposite party no. 2, in para 5 and para 19. The petitioner has already deposited the aforesaid amount prior to lodging of the case, which will appear from Annexure-3. It is further submitted that co-accused with similar allegation has been granted anticipatory bail by a co-ordinate Bench of the Court vide order dated 27.02.2018 passed in Cr. Misc. No. 12203 of 2018.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Mansi P.S. Case No. 263 of 2017**, 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 C.J.M. Khagaria, 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 their 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.

(Sanjay Priya, J)

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