

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10654 of 2018

Arising Out of PS.Case No. -102 Year- 2011 Thana -NABINAGAR District- AURANGABAD

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Md. Equabal Khan, S/o Shami Khan, R/o Village- Darua, P.S.- Nabinagar,
District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Indra Kumar Singh, a.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 19-04-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Nabinagar P.S.**

Case No. 102 of 2011 instituted for the offence under Sections 420/34
of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
petitioner has joined as Headmaster in the school on 2.7.2009 and took
charge from Md. Salem Taaz Ansari. On the day of taking charge,
Rs.815/- was showing in the passbook. The charge report of the
petitioner has been enclosed as Annexure-2. The petitioner has
submitted that A.C./D.C. detail of the amount is for the financial year
prior to joining of this petitioner. Petitioner has given his explanation in
detail of the aforesaid amount vide Annexure-5 and has also stated that
a detailed A.C./D.C. bill has been given by earlier Headmaster.

From the written report it is not clear about the amount



for which AC/DC bill was required to be submitted.

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 **Nabinagar P.S. Case No. 102 of 2011**, 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 **learned Chief Judicial Magistrate, Aurangabad**, 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.

(Sanjay Priya, J)

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