

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12588 of 2019

Arising Out of PS. Case No.-482 Year-2018 Thana- SAHEBGANJ District- Muzaffarpur

Md. Asgar Ali @ Md. Ashagar Ali, Son of Abdul Aziz, Resident of Village - Kalyanpur, P.S.- Kalyanpur, Distt - East Champaran, at present posted as District Programme Officer, (Middle Education, Accounts and Establishment) at Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Karn, Advocate

For the Opposite Party/s : Md. Arif, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 06-03-2019 Heard learned counsel for the petitioner and

learned counsel for the State.

In this case, the petitioner is seeking anticipatory bail in connection with Sahebganj P.S. Case No.482 of 2018, registered for the offence punishable under Sections 467, 468, 471, 406 and 409/34 of the Indian Penal Code.

The allegation has been made that petitioner being the District Programme Officer has reappointed one Md. Ali Akbar, Panchayat Teacher, who was dismissed on the charge of defalcation of Government money.

Learned counsel for the petitioner submits that Md. Ali Akbar, Panchayat Teacher was entrusted for constructing



school building and an amount of Rs. 24,25,000/- was handed over to him. Thereafter, Md. Ali Akbar constructed the school building and deposited Rs.11,35,000/- and also filed affidavit to this effect that he will deposit rest amount of Rs. 4,40,000/-. He further submits that the petitioner has never defalcated any Government money.

Looking to the entire facts and circumstances of the case, let the petitioner, above-named, be released on anticipatory bail in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-1st, West, Muzaffarpur, in connection with Sahebganj P.S. Case no.482 of 2018, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Shivaji Pandey, J)

V.K.Pandey/
S. Katyayan

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