

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77262 of 2018**

Arising Out of PS. Case No.-250 Year-2018 Thana- BAHADURGANJ District- Kishanganj

Md. Shahnawaz Alam, Son of Late Md. Jamil Akhtar, Resident of Village-
Baisa Gopalganj, Police Station- Bahadurganj, District- Kishanganj.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Raj Kumar

For the Opposite Party/s : Mr. Ajay Mishra

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

6 15-05-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Badadurganj P.S. Case no. 250 of 2018, registered under Sections 420, 467, 468, 471 and 120(B) of the Indian Penal Code.

The accusation is that petitioner being the Headmaster of Upgraded Middle School, Lauch Teghriya constructed additional school building over the private land without transferring the same through sale deed.

Learned counsel for the petitioner submits that, in fact, there was shortage of land for school building of Upgraded Middle School, Lauch Teghriya. For providing the land to the school, a meeting of Vidhyalay Samiti was convened on 05.04.2011 in which Md. Hasnain Alam and Md.



Hashim both sons of Late Raisuddin and Afsari Begam, wife of Md. Mojibu Rahman became ready to donate total five decimal of land adjacent to the school building for construction of additional building for the school, which would appear from Annexure-2. Later on, they executed the deed of gift, which would appear from Annexure-3. Thereafter, building was constructed, but unfortunately, the land could not be transferred in favour of the State. Further submission is that there is no allegation of misappropriated Rs. 8,05,280/-, which was allotted for construction of school building. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Kishanganj in connection with Bahadurganj P.S. Case No. 250 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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