

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35092 of 2019

Arising Out of PS. Case No.-846 Year-2017 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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Jiyaul Hoda Khan @ Zeaul Hoda Khan, S/o Late Nizamul Khan @ Shamsul Hoda Khan, P.S. Town, Distt. Muzaffarpur, permanent resident of Ward No. 29, in front of Raham Khan Masjid, P.S. Darbhanga, Distt. Darbhanga.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashhar Mustafa

For the Opposite Party/s : Mr.Rajesh Kumar

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 30-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant anticipatory bail application apprehending his arrest in connection with Complaint Case No. 846 of 2017, registered for the offence under Section 354 of the Indian Penal Code pending in the court of learned Chief Judicial Magistrate, 1st Class, Muzaffarpur..

As per allegation made in the complaint case, the complainant was called by the petitioner for purchase of certain goods and thereafter it is alleged that at his house the petitioner misbehaved with the complainant. In course of enquiry, certain witnesses were examined and the learned court below was pleased to take cognizance under Section 354 of the Indian



Penal Code.

It is submitted by the learned counsel for the petitioner that at the relevant time, the petitioner was posted as District Programme Officer Establishment at Muzaffarpur and had been conducting a detailed enquiry into the genuineness of the TET certificates of the government teachers, serving in various Blocks of Muzaffarpur. In course of enquiry, certificates of altogether 334 contractual teachers were found to be forged and in that process, he had to face pressure from such teachers and the instant case may be the result of the same. It is further submitted that the petitioner, who is government servant, is at present posted as District Programme Officer, Sitamarhi.

The learned APP appearing for the State opposes the application for bail stating that the allegations in the complaint are serious in nature.

Having heard the parties and taking into consideration that the petitioner is in government service and is present posted as District Programme Officer, Sitamarhi, the petitioner, above named, is directed to surrender in the court below within a period of six weeks from today and in the event of his arrest or surrender, he shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount



each to the satisfaction of learned Judicial Magistrate-1st Class,
Muzaffarpur in connection with Complainant Case No. 846 of
2017, subject to the condition as laid down under Section 438(2)
of the Cr.P.C.

(Partha Sarthy, J)

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