

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74105 of 2018

Arising Out of PS. Case No.-502 Year-2018 Thana- ARARIA District- Araria

Mazharul Haque @ Md. Mazharul Haque S/o Late Md. Naim, resident of
village- Ibrahimpur, P.S.- Sabour, District- Bhagalpur.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Krishna Pd. Singh, Sr. Advocate Mr. Bhaskar Shankar, Advocate
For the Opposite Party	:	Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

5 11-03-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 406, 409, 420 and 34 of the Indian Penal
Code registered in connection with Araria P.S. Case No. 502 of 2018.

3. It is submitted that the petitioner has been falsely
implicated on the accusation of irregularities committed in execution
of project work and the written report has been filed after inordinate
delay on 28.07.2018 pursuant to the agreement dated 09.03.2010. As
many as 28 officials have been named in the FIR, all of whom have
since retired. The petitioner was then the Junior Engineer, Irrigation
Division, Araria. Similarly other officials, namely, Md. Manzar Nai
@ Manzar Nam @ Md. Manzar Nayeem, Amit Kumar, Pawan
Kumar and Kishan Lal have been granted anticipatory bail by this
Court vide orders dated 14.12.201, 04.01.2019, 10.01.2019,
17.01.2019 passed in Cr. Misc. No. 62847 of 2018, Cr. Misc. No.
78109 of 2018, Cr. Misc. No. 77344 of 2018, and Cr. Misc. No.
76208 of 2018, respectively. The petitioner claims clean antecedents.

4. Be that as it may, in the event of the petitioner's arrest



or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Araria P.S. Case No. 502 of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further conditions --

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

BT/-

(Vikash Jain, J)

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