

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50863 of 2019

Arising Out of PS. Case No.-294 Year-2016 Thana- BAHERA District- Darbhanga

MD. MOHIBUL RASOOL Son of Md. Khalil Ansari Resident of Village -
Mohammedpur Jamia, P.S.- Bahera, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar
		Mr. Sarva Deo Singh
For the Opposite Party/s :		Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 16-08-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Bahera P.S. Case NO. 294 of 2016, disclosing offences under Sections 467,468,469,471, 420, 409/34 of the Indian Penal Code.

The petitioner was a Member of Selection Committee for selecting candidates for appointment as Panchayat Teachers. One Sofia Nizam was allegedly appointed on the basis of forged and fabricated documents. The petitioner was not initially named in the First Information Report. It is, however, being stated that in course of investigation on the basis of the supervision note of the Superintendent of Police, the petitioner's name has surfaced on the ground that he was also one of the Members of the Selection Committee.



Learned counsel appearing on behalf of the petitioner has submitted that only on the basis that the petitioner was a Member of Selection Committee, he cannot be implicated in the criminal case where there is allegation of fabrication and forgery of the documents made by the selected candidates. He has also argued that similarly circumstanced co-accused persons have been allowed anticipatory bail.

Considering the above, this application is allowed.

Let the petitioner above named in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Benipur, Darbhanga, in Bahera P.S. Case No. 294 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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