

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51866 of 2019

Arising Out of PS. Case No.-197 Year-2014 Thana- FORBESGANJ District- Araria

MD. UMAR ALI Son of Md. Salim Resident of Village - Hingwa Ward
No.12, P.S.- Bhargama, Dist.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 20-08-2019 The petitioner apprehends his arrest in connection with Forbesganj P. S. Case No. 197 of 2014 registered under Sections 409 and 420 of the Indian Penal Code.

Allegation against the petitioner is that petitioner took advance for performing his duty in the Lok Sabha Election, 2014, after having received advance amount, he did not perform his duty in Lok Sabha Election, 2014.

Learned counsel appearing on behalf of the petitioner submits that petitioner was posted as Block Teacher in the Upgraded Middle School Hingwa, Block Bhargama, District- Araria at that point of time and was suffering from fever and diarrhoea and was under treatment in between the period 21.04.2014 to 28.04.2014 and in this regard medical certificate issued by the doctor was also submitted before the informant by the petitioner. He also submits that advance money received by



the petitioner to the tune of Rs. 1650/- has also been refunded by depositing the same in the District Treasury.

After having heard learned counsel for the parties and taking into consideration the fact that petitioner was suffering from fever and diarrhoea at that point of time and a certificate to this effect was already submitted before the informant and further the advance amount has been returned by the petitioner, as such I am inclined to grant anticipatory bail to the petitioners.

Let the petitioner, above-named, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned CJM, Araria in connection with Forbesganj P.S. Case No. 197 of 2014; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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