

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61655 of 2019

Arising Out of PS. Case No.-142 Year-2018 Thana- BELDOUR District- Khagaria

MD. SALAUDDIN Son of Md. Allauddin Resident of Village- Kainjari, P.S.-
Beldaur, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Sumiran Rai

For the Opposite Party/s : Mr.Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 01-10-2019 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, 420/34 of the Indian Penal Code registered
in connection with Beldaur P.S. Case No.142/2018.

3. It is submitted that the petitioner has been falsely implicated
in connection with alleged defalcation of Government fund. It has been
alleged that under the scheme for the year 2007-08 an amount of Rs.
44,700/- was given by the Mukhiya for construction of latrine in the
house of Md. Jairul, but the petitioner constructed the same in his own
house and also did not complete the construction of tank of latrine of
Md. Azam. It is submitted that the FIR has been instituted after
inordinate delay in the year 2018 relating to the scheme of 2007-08.
Co-accused Manik Choudhary (Mukhiya) and Chandra Shekhar Yadav
(Panchayat Secretary) have been granted anticipatory bail by this
Court in Cr. Misc. No. 60756 of 2018. 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 J.M. Ist Class, Khagaria in connection with Beldaur P.S. Case No.142/2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following 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 co-operate 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.
- iv. 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.

(Vikash Jain, J)

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