

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 19396 of 2020

Md. Shamim, aged about 39 years, Male, son of Late Md. Yusuf, Resident of village-Nisiharpur, Ward no.2, P.S.-Shankarpur, District-Madhepura

..... Petitioner

Versus

The State of Bihar

..... Opposite party

Appearance

For the Petitioner/s : Mr. Rupesh Kumar, Advocate

For the State : Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

3 07.09.2020 Heard learned counsel for the petitioner and learned A.P.P for the State through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Madhepura P.S. Case no. 252 of 2015 registered under sections 420, 406, 467, 468 and 120B of the Indian Penal Code.

As per allegation in the F.I.R., it is stated that the petitioner in collusion with co-accused Ramesh Abhishek



fraudulently reopened, on paper, the National Child Labour Project School which had been closed because of having only one year agreement with NGOs to run the same in the year 2020 in several blocks of Madhepura. It is stated that the aforesaid Ramesh Abhishek extracted Rs.5000/- to Rs.10,000 from villagers in the name of providing them with jobs.

It is submitted by learned counsel for the petitioner that except for the allegation that the petitioner used to assist the aforesaid Ramesh Abhishek, there is no other material against him either in the F.I.R. or in course of investigation. It is further submitted that the petitioner himself is a doctor who is in practice and has nothing to do with the said project. He has no criminal antecedent and is in custody since 31.12.2019. It is submitted that the case of the petitioner stands on similar footing to that of co-accused Prabhat Kumar who has been enlarged on bail vide order dated 31.1.2020, Annexure-4 to the petition.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner, grant of bail to co-accused and investigation in the



case having concluded, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Madhepura P.S. Case no. 252 of 2015 on furnishing bail bond of Rs.10,000/ with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhepura.

(Partha Sarthy, J)

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