

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.113 of 2021

Arising Out of PS. Case No.-93 Year-2019 Thana- KHUDAGANJ District- Nalanda

MD MUSTAQUE AHMED ANSARI Son of Jamaluddin Ansari Resident of Village - Sarvahdadih, P.S.- Khijar Sarai, Distt.- Gaya, at Present Incharge Headmaster and 2 Hgihg School Khudaganj, Distt.- Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rama Kant Sharma, Sr. Adv.
Mr.Lakshmi Kant Sharma, Adv.
For the Opposite Party/s : Mr.H.A. Khan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 06-12-2021 Heard the parties.

The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 420, 468, 471, 474 of the Indian Penal Code.

The allegation against the petitioner is that the petitioner appointed one Kalpana Kumari as the headmistress cum Secretary of one Sarvodya High School Boridih, Nalanda by creating fake document and submitting the same with the Department, which is apparently a matter of cheating.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been trapped in this case due to rivalry between two groups for getting the control of the said school. There is general and



omnibus allegation against the petitioner. Real fact is that the the petitioner was nominated as a convenor on 17.10.2014 while at that time, Kalpana Kumari was working as Incharge Headmistress as per the recommendation of the School Committee and appointment letter was issued to her on 19.07.2014 itself under the signature of the informant.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Khudaganj P.S. Case No.93 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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