

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23235 of 2022

Arising Out of PS. Case No.-800 Year-2021 Thana- FORBESGANJ District- Araria

Mohd. Naushad Alam Son Of Mohd. Yakub R/O Village- Mirzapur Kothi,
Ward No.-11, Near Masjid, Meriganj, P.S.- Simraha, Farbisganj, District-
Araria Petitioner/s

Versus

The State Of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nawal Kishor Prasad

For the Opposite Party/s : Mr.Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 09-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Farbisganj (Simraha O.P.) P.S. Case no. 800 of 2021
instituted for the offence under Sections 409, 420, 34 of the
Indian Penal Code.

As per allegation in the FIR, being the headmaster of
the school, petitioner had misappropriated the government
money of Rs. 24,97,500/- in connivance with Secretary of the
school, namely, Sitara Shahnwaj Shikh, which was issued for
the purpose of construction of class rooms of the school under
M.S.D.P. Project.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no



offence. At the time of allotment of work, petitioner denied to accept the work because of his ailment of heart disease. All cheques had been handed over to Secretary of the School, namely, Sitara Sahnawaj Seikh and he was responsible for all the money transactions as per development of construction work.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Farbisganj (Simraha O.P.) P.S. Case no. 800 of 2021, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Araria (Bihar) subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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