

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.12499 of 2024**

Arising Out of PS. Case No.-29 Year-2017 Thana- SIMRI BAKHTIYARPUR District-  
Saharsa

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Md. Nakib Alam @ Nakib Ahmad @ Md. Nakib Ahmad Son Of Md. Rafi Ahmad @ Md. Rafi Alam @ Late Rafi Ahmad @ Rafi Alam Resident Of Village- Bhada, Ps- Sour Bazar, Dist- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

|                          |   |                              |
|--------------------------|---|------------------------------|
| For the Petitioner/s     | : | Mr. Nafisu Zzoha, Adv.       |
|                          | : | Mr. N.K Agarwal, Sr. Adv.    |
|                          | : | Miss. Shabina Talif, Adv.    |
| For the Informant        | : | Mr. Pramod Mishra, Adv.      |
| For the Opposite Party/s | : | Mr. Pramod Kumar Pandey, APP |

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA**

ORAL ORDER

3      16-04-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner is in custody in connection with Bakhtiyarpur (Baluahat O.P) P.S Case No. 29 of 2017 registered for the offences punishable under Sections 406, 420, 120(B), 506/34 of the I.P.C.

3. As per prosecution case, there is allegation that as per direction of Government, the informant, who is PACS Mangager, made agreement on 10.06.2015 with the petitioners and paddy weighing 1662 quintal worth Rs. 27,58,920/- was given to the accused persons for preparation and supply of rice.



Md. Rakib Alam preapred a power of attorney in the name of Md Rakki Ahmad @ Md. Rafi Ahmad with common intention after making conspiracy. They did not return the rice and misappropriated the Govt. money.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. It is also submitted that petitioner is in judicial custody since 29.08.2023.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M, Saharsa in connection with Bakhtiyarpur (Baluahat O.P) P.S Case No. 29 of 2017.

**(Ramesh Chand Malviya, J)**

Mayank/-

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