

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.2 of 2024**

Arising Out of PS. Case No.-51 Year-2022 Thana- THAKURGANJ District- Kishanganj

Faruk Alam @ Md. Faruque S/O Md. Hanif Alam R/O Ward No. 14, Jalmilik,  
Gunjamari, Kanakpur, P.S- Thakurganj, Distt.- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                            |                         |
|----------------------------|-------------------------|
| For the Petitioner/s :     | Mr. Diwakar Sinha       |
| For the Opposite Party/s : | Mr. Binod Kumar         |
|                            | Mr. Amaresh Kumar Singh |

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

5      15-05-2024                      Heard learned counsel for the petitioner, State and informant/opposite party no. 2.

2. The petitioner apprehends his arrest in a case registered for the offence under Sections 406, 409, 420, 467, 468, 469, 34 of the Indian Penal Code.

3. It is alleged that this petitioner alongwith co-accused Muzammil Haque embezzled government money to the tune of about Rs. 1.5 crores.

4. Learned counsel for the petitioner submits that at the relevant time petitioner was working as Clerk and he was not entrusted with the work of Account Department. He further submits that from perusal of the F.I.R., it is apparent that petitioner is only alleged to have defalcated Rs. 1,29,200/-.



Accordingly, without admitting the allegation made in the F.I.R., the petitioner is ready to deposit 50% i.e. **Rs. 65,000/- (Rupees sixty five thousand)** in the Nazarat of the Civil Court, for which, learned counsel for the opposite party no. 2 does not oppose.

5. Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj in connection with Thakurganj P.S. Case No. 51 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with further following conditions:

“(A) At the time of furnishing bail-bond, the petitioner shall deposit Rs. 65,000/- (sixty five thousand) in the *Nazarat* of Civil Court, Kishanganj.

(B) The aforesaid payment shall be subject to final outcome of the case.

(C) If petitioner fails to comply the direction of this Court, the learned Court below would be at liberty to cancel the bail-bond of the petitioner.”

6. This order has been passed, without going into the merit of the case, only for the purpose of considering the prayer



for anticipatory bail of petitioner.

(Prabhat Kumar Singh, J)

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