

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41631 of 2026

Arising Out of PS. Case No.-1536 Year-2022 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Md. Mushiruddin S/O Md. Jahiruddin R/O Vill.- Rahmani Manzil, Naya Gav,
P.S.- Kotwali, Dist.- Munger.

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. Dr. Jakir Hussain S/O Late Aash Muhammad Ansari R/O Mathlauhiyar Tola,
Banddihuli, P.S.- Harsiddhi, Dist.- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar Pathak, Advocate
		Mr. Surya Narayan Sah, Advocate
For the Opposite Party/s :		Mr. Md. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 01-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in anticipation of his arrest
in connection with Complaint Case No. 1536 of 2022 instituted
for the offences punishable under Sections 406, 409, 420, 465,
467, 468, 471 and 120(B) of the Indian Penal Code.

3. As per the prosecution case, allegation against the



petitioner is that he along with other accused persons have fraudulently taken Rs. 5 Crore by creating forged documents on the pretext that they run a permanent Madarsa.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated along with other accused persons with an ulterior motive. It has further been submitted that, in fact, it was the petitioner, who had lodged a Complaint Case No. 328(C) of 2018 against the complainant though under Section 406 and Section 138 of the Negotiable Instrument Act and it is only to settle the personal score this false and concocted case has been lodged against the petitioner. It has further been submitted that there is no specific allegation of inducing or cheating upon the petitioner rather all the accused persons have been made accused with general and omnibus allegations. It has next been submitted that two similarly situated accused persons have been granted bail by a co-ordinate Bench of this Court and the order of the same has been brought on record by way of Annexure-P/3 series. It has lastly been submitted that the petitioner happens to be a Government Teacher and carries clean antecedent.

5. Learned APP appearing on behalf of the State has vehemently opposed the prayer for anticipatory bail.



6. Considering the facts aforesaid, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Complaint Case No. 1536 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and subject to the following conditions:-

(i) One of the bailors will be a close relative of the petitioner and the other shall be a local resident:

(ii) the petitioner will remain physically present on each and every date fixed by the Court below, if so required by the learned Trial Court and shall cooperate in the investigation;

(iii) in case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will liable to be cancelled by the Court concerned;

(iv) the Court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bonds of the petitioner. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of the same on in the name of verification.



(v) If the petitioner, in future, is found to be involved in similar nature of offence, the prosecution shall be at liberty to move for cancellation of his bail bonds.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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