

Md. Nizamuddin Vs. the State of Bihar

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Court : Patna

Decided On : May-19-2012

Appellant : Md. Nizamuddin

Respondent : The State of Bihar

Judgement :

IN THE HIGH COURT OF JUDICATURE AT PATNA Criminal Miscellaneous No.43428 of 2011 Md. Nizamuddin, S/o Late Md. Kalim Uddin Versus The State Of Bihar ----- 2. 19.1.2012 Heard learned counsel for the petitioner and the State. The petitioner is apprehending his arrest in a case registered under Sections 409, 419 and 420/34 of the Indian Penal Code. Considering that the only allegation against the petitioner is of irregularity having been committed by him in distribution of scholarship money and not of defalcating it, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender before the learned court below within a period of four weeks from today in connection with Marauna P.S. case No.24 of 2010 on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Supaul, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as also conditions (i) That one of the bailor will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will undertake to furnish information to the Court about any change in address of the petitioner. (ii) That the affidavit shall clearly state that the petitioner is not an accused in any other case and if he is he shall not be -2- released on bail, (iii) That the bailor shall

also state on affidavit that he will inform the court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse, (iv) That the petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse, (v) That the petitioner will be well represented on each date if he fails to do so on two consecutive dates, his bail will be liable to be cancelled. Narendra/ (Anjana Prakash, J.

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