

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40089 of 2017

Arising Out of PS.Case No. -87 Year- 2017 Thana -SAHAR District- BHOJPUR

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Dr. Neyaz Ashraf Siddiqui @ Dr. Neyaz Ashraf Siddique, son of Late
Nehal Ashraf Siddiqui, resident of Zeyarat Lane, Milki Mohalla, Ara, P.S.
Ara Town, District Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyabir Bharti, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

- 2 31-08-2017 Heard learned counsel for the petitioner and the State.
- The petitioner apprehends his arrest in Sahar P.S.
- Case No. 87 of 2017 instituted for the offence under Sections 420,
467, 468 and 34 of the Indian Penal Code.
- It has been submitted that petitioner was appointed as
Medical Officer along with other Medical Practitioners on
contractual basis by order dated 16.5.2008 passed by the District
Magistrate-cum-Chairman, District Health Society, Bhojpur, Ara,
and posted at Primary Health Centre, Sahar. Upon completion of
65 years of age on 1.1.2015, by order, dated 15.4.2015, passed by
the Civil Surgeon-cum-Chief Medical Officer, Bhojpur, the
contractual service of the petitioner was terminated.
- The instant case has been registered in the year 2017



making allegation that handicapped certificates has been issued in favour of seven persons by the petitioner.

Learned counsel for the petitioner has submitted that he was never posted as In-charge Medical Officer, Sahar, whereas the forged handicapped certificate was issued by Dr. Harischandra Choudhary who was the in-charge Medical Officer and his forged signature has been made on those certificates.

In the order of the Appellate Authority which is the basis of the First Information Report, it appears that main allegation has been made against the Medical Officer, Dr. Harishchandra Choudhary who was the In-charge of the Health Centre.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Sahar P.S. Case No. 87 of 2017, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-X, Ara, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the



jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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