

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48738 of 2017

Arising Out of PS. Case No.-25 Year-2017 Thana- NAUHATTA District- Saharsa

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Md. Faruque @ Md. Fateh Farooque Son of Late Md. Abbas @ Abbas, R/o
Village + P.O. +P.S.- Nauhatta, District- Saharsa Petitioner/s
Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra
For the Opposite Party/s : Mr. ATAUR RAHMAN

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 10-11-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Nauhatta Police Station Case No. 25 of 2017, disclosing offences under Sections 353, 385, 504 and 506 of the Indian Penal Code.

The informant was the Incharge Medical Officer, Primary Health Centre, Nauhatta, Saharsa. According to the prosecution's case, the petitioner's wife was entitled for some amount to be received by her under Janani Bal Suraksha Yojana. A cheque was prepared for the said purpose. Allegedly, the petitioner started pestering the informant to put his signature on the said cheque. The petitioner is said to have misbehaved with the informant and caused obstruction in discharge of official duty.



Learned Counsel for the petitioner has submitted that since the petitioner was making demand for payment of the amount, which his wife was entitled to receive under the welfare scheme of the Government, the informant appears to have got annoyed and got the case registered.

Considering the genesis of the occurrence and the nature of accusation, this application is allowed.

Let the petitioner, Md. Faruque @ Md. Fateh Farooque, in the event of his arrest or surrender before the Court below within six weeks, be released 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, Saharsa, in connection with Nauhatta Police Station Case No. 25 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

Prabhakar Anand/-

(Chakradhari Sharan Singh, J)

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