

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63209 of 2018

Arising Out of PS. Case No.-247 Year-2018 Thana- NAUGACHIA District- Bhagalpur

Md. Nazar Imam Son of Md. Haidar Imam, Resident of Village- Mojahidpur
West, Police Station- Mojahidpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Sen Prasad Singh

For the Opposite Party/s : Mr. Sri Dashrath Mehta

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 18-12-2018 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Naugachia P.S. Case no. 247 of 2018, registered under
Sections 408, 353 and 120(B) of the Indian Penal Code.

Petitioner who happens to be Accountant of the
Primary Health Center, Naugachia is said to have locked the
account office of PHC Naugachia and despite request and
giving letter, he did not open the room and due to the aforesaid
act several government schemes suffered a loss.

It is submitted by learned counsel for the petitioner
that no such occurrence as alleged ever took place. Petitioner is
not the permanent Accountant of PHC, Naugachia rather he is



working on contract basis. Moreover, on 22.05.2008 when he arrived at the office and tried to open the lock of his office, he found the lock tampered. Citing Annexure-2, he has submitted that he had given the information to such effect on the said date to the incharge Medical Officer, PHC, Naugachia. There is inordinate and abnormal delay of two months in lodging the F.I.R. and no plausible and convincing reason has been assigned for the aforesaid delay.

In the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Naugachia, Bhagalpur in connection with Naugachia P.S. Case no. 247 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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