

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14941 of 2018

Arising Out of PS.Case No. -164 Year- 2015 Thana -ALAMGANJ District- PATNA

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Dr. Naushad Ali, S/o Abdul Aziz, R/o Mohalla- Goal Ghar, P.S.- Gandhi
Maidan, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Javed Aslam, Advocate.

For the Opposite Party/s : Mr. Satya Nand Shukla, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 27-04-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Alamganj P.S.**

Case No. 164 of 2015 instituted for the offence under Sections 406 and
409 of the Indian Penal Code.

In the written report there is specific allegation against
Treasury Messenger Suman Kant Sinha of misappropriating money
from GPF account of ANM and Nurses. It is mentioned in the written
report that Treasury Messenger-cum-Clerk Sri Suman Kant Sinha after
committing forgery withdrew money from G.P.F. account of different
persons during the year 2010-11 to 2013-14.

Learned counsel for the petitioner has submitted that
petitioner is not named in the written report. Mere suspicion has been
raised against him being the Drawing Disbursing Authority. Learned
counsel for the petitioner has mentioned in paragraph-8 of the bail



petition that prior to the petitioner, Dr. Binod Shankar Prasad was Medical Officer and Drawing and Disbursing Officer. Prior to Dr. Binod, Dr. Shashi Kala was Medical Officer and Drawing and Disbursing Officer.

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 **Alamganj P.S. Case No. 164 of 2015**, 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, Patna**, 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 his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond 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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