

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19252 of 2019**

Arising Out of PS. Case No.-309 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, Advocate

For the Opposite Party/s : Mr. Binod Kumar

**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER**

2 02-04-2019 Heard the learned counsel for the petitioner and

the State.

The petitioner seeks bail in anticipation of his arrest in connection with Naugachia P.S. Case No. 309 of 2018 dated 30.08.2018 instituted for the offence under Section 409 of the Indian Penal Code.

From the perusal of the FIR which appears to have been lodged by the In-charge, Medical Officer, Naugachia, Bhagalpur it appears that the case has been lodged on the statement of a person who is said to have taken charge from the petitioner in his capacity as an Accountant of the Primary Health Centre.



Learned counsel for the petitioner has submitted that earlier also the informant, who is the In-charge Medical Officer had filed a case against him because of his personal animosity with the petitioner. In the earlier case lodged by the informant, the petitioner is on bail. In the subject FIR also, the allegations are absolutely vague and it is not clarified as to which document was not handed over to the person who had come to take charge from the petitioner.

Mr. Chandra Sen Prasad Singh, learned counsel for the petitioner has further informed this Court that petitioner is not a regular employee of aforesaid Primary Health Centre, but is working there on contract basis. He has also taken the reference of a complaint case which he has filed against the informant and attributes the animosity with the informant because of the aforesaid complaint.

Considering the aforesaid facts, the petitioner is directed to be released on bail, in the event of his



arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-1, Naugachia, Bhagalpur in connection with Naugachia P.S. Case No. 309 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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