

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60970 of 2019

Arising Out of PS. Case No.-458 Year-2019 Thana- KATIHAR District- Katihar

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Azfar Islam, aged 39 years, Male, S/o Manzar Islam, R/o 144 Islam Manzil, Ward No. 25, Gachi Tola, P.S. Araria, District Araria,, currently posted at Barsoi Sub Division under Swaksh Bharat Mission, Shahri Yojna, P.S. Barsoi, District Katihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Harsh Singh

For the Opposite Party/s : Mr.Rajendra Prasad Nat

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 16-10-2019 Heard both sides.

The petitioner apprehends his arrest in Katihar (Nagar) P.S. Case No.458 of 2019, registered under Sections 420 and 120(B) of the Indian Penal Code.

The informant alleged that on 19.07.2018, the City Manager, Azfar Islam, the petitioner made interpolation in the records and got it misplaced in order to help the Ward Commissioners.

Learned counsel for the petitioner submits that Nagar Ayukta filed the present case against the City Manager, the petitioner but before institution of the present case, the same Nagar Ayukta filed Katihar Town P.S. Case No.457 of 2019 in which he alleged that the City Manager had come with some



papers relating to election and kept the same on his table. On enquiry, the City Manager disclosed that the papers were relating to the proceedings of No Confidence Motion. When the informant took the papers and he was going to the office, the Ward Commissioners/Ward Councillors assaulted the informant and tried to kidnap him after snatching the papers. It is submitted that the informant did not make any allegation against the City Manager in the First Information Report lodged by him but thereafter the informant lodged the present FIR making allegation against the petitioner that he made interpolation in different papers. It is further submitted that all the accused persons named in Katihar Town P.S. Case No.457 of 2019 have already been granted anticipatory bail by a coordinate Bench of this Court.

Taking into consideration the facts that the informant himself lodged Katihar Town P.S. Case No.457 of 2019 in which he made allegation against the Ward Councillors that while he was going to office with the papers, they all assaulted him and snatched his papers and also tried to kidnap him but thereafter the informant lodged the present case making allegation of interpolation against the City Manager, let petitioner, above named, in the event of his arrest or surrender



before the court below within a period of four weeks from the date of receipt of the order, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Katihar in connection with Katihar (Nagar) P.S. Case No.458 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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