

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10228 of 2023

Arising Out of PS. Case No.-236 Year-2022 Thana- RAHIKA District- Madhubani

MD. NESAR AHMAD Son of Md. Hasim Resident of Village- Sunderpur,
P.S.- Sadar Darbhanga. District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Maya Shankar Mishra

For the Opposite Party/s : Mr. Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-04-2023

Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Section 409 of the Indian Penal Code.

In the F.I.R., the informant, who is B.D.O. of block Rahika, has alleged that the petitioner, the then Nazir-cum-Urdu Translator of the said block, in spite of repeated reminders did not hand over the charge and due to that reason, the work of block was hampered.

It is submitted on behalf of petitioner that no such occurrence, as alleged in the F.I.R., took place. The petitioner has already handed over charge, but the charge was not taken over by the successor in spite of several reminders sent by the petitioner to the B.D.O. During Covid period, the entire paper,



records etc. were taken by the police. There is no allegation of misappropriation of fund against this petitioner. It is further submitted that petitioner has already superannuated in the year 2017 and he is suffering from heart disease and undergoing treatment for the last two years. F.I.R. has been lodged after lapse of five years of superannuation of this petitioner and there is no explanation of delay. Petitioner has got clean antecedent.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

Considering the aforesaid facts and circumstances, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner 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 learned C.J.M., Madhubani in connection with Rahika P.S. Case No. 236 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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