

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2683 of 2017

Arising Out of PS. Case No.-87 Year-2017 Thana- SAHAR District- Bhojpur

Dr. Neyaz Ashraf Siddiqui @ Dr. Neyaz Ashraf Siddique son of Late Nehal Ashraf Siddiqui, resident of Zeyarat Lane, Milki Mohalla Ara, P.S. Ara Town, District- Bhojpur.

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Superintendent Of Police, Bhojpur
2. The Station House Officer, Sahar Police Station, District Bhojpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Satyabir Bharti, Adv., Mr. Abhishek Anand, Adv., Ms. Kanupriya, Adv.
For the Respondent/s	:	Mr.ga-4

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI

ORAL JUDGMENT

Date : 19-03-2024

Heard learned Advocate for the petitioner as well as learned APP for the State.

2. The handwriting expert report be kept on record.

3. On the basis of an order dated 12th March, 2024, the Police authority was directed to submit handwriting expert report comparing the signature appearing in the questioned documents i.e. disability certificates stated to be that of the petitioner's and his admitted signature in the record of the hospital. The expert report says that signature in questioned documents do not tally with admitted signature of the present petitioner.



4. It is necessary at this stage to state the following facts:-

Sahar P.S. Case No. 87 of 2017 was registered against the petitioners under Sections 420/467/468/34 of the I.P.C. alleging, inter alia, that when he was serving as a contractual Medical Officer in a Primary Health Centre at Sahar, in the District of Bhojpur, seven numbers of disability certificates were issued from the said hospital, bearing the signature of the petitioner. However, the said disability certificates bore the official seal of the In-charge of the said Primary Health Centre.

5. From the very beginning, the petitioner denied his signature on the said disability certificates. Finally, at the intervention of the Court, the seized disability certificates with the alleged signature of the petitioner's and the admitted signature of the petitioner's were sent to the Forensic Science Laboratory, Patna for handwriting expert examination and opinion.

6. The handwriting expert has submitted his opinion stating, inter alia, that the questioned signature does not tally with the admitted signature of the petitioner. The petitioner has retired from his service. However, since 2017 to 2024 the petitioner suffered mental agony and trauma in course of investigation of Sahar P.S. Case No. 87 of 2017. Finally, it has come after a lapse



of 7 years that the signature appearing on the disability certificates do not belong to the petitioner.

7. Therefore, petitioner is liable to be discharged from the case of Sahar P.S. Case No. 87 of 2017.

8. Since it is found from the record that the investigation against the petitioner is still going on, the Investigating Officer is directed to submit report in final form on the basis of the F.S.L. examination report with regard to signature of the petitioner appearing in the disability certificates and his admitted signature before the learned Magistrate within two weeks from the date of this order.

9. The learned Magistrate shall pass necessary order in accordance with law on receipt of the final report.

10. Since the petitioner was subjected to mental trauma and agony for last seven years, the Police authority is directed to compensate the petitioner by paying a sum of Rs. 10,000/- (Ten thousand).

11. This Court believes that a sum of Rs. 10,000/- is a token amount, but the amount is receivable from the exchequer of the State Government by the petitioner as a check and balance of prolonged investigation without any result and for the sufferings of the present petitioner.



12. With the above direction, the instant writ petition is
disposed of.

(Bibek Chaudhuri, J)

pravinkumar/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

