

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31249 of 2014

Arising Out of PS.Case No. -394 Year- 2012 Thana -MUFFASIL District-
WESTCHAMPARAN(BETTIAH)

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Fakrul Hassan @ Farakul @ Fakharul Hassan @ Farakul Hassan, son of
Late Sk. Hassan, resident of village- Beldari, P.S.- Bettiah (Muffasil),
District- West Champaran

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr. S.Dayal, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 29-01-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner, apprehending his arrest in connection
with Bettiah (Muffasil) P.S. Case No. 394 of 2012 registered for
the offences punishable under Sections 409, 420, 387 and 120B/34
of the Indian Penal Code, seeks the privilege of pre-arrest bail.

At the very outset, it has been submitted that in this case
co-accused Manirul Haque @ Sheikh Monirul Haque, Sheikh
Nabijan and Sheikh Hashim have already been allowed pre-arrest
bail vide order dated 26.07.2013 in Cr. Misc. No. 22001 of 2013
by another Bench of this Court and the case of the petitioner is
identical and in this case, the petitioner also deserves sympathetic

consideration, as no criminal offence is made out. It is stated that out of fear that the land would be sold by the petitioners to others. The informant got a registered deed executed in his favour after paying the amount and on this ground no criminal offence can be said to be made out and the petitioner has got no criminal antecedent, to which the learned counsel for the State does not oppose the prayer for anticipatory bail as other co-accused have been allowed bail.

As such, the petitioner, in case of their arrest or surrender within two months from the date of receipt/production of the copy of this order, shall be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate Bettiah, West Champaran in connection with Bettiah (Muffasil) P.S. Case No. 394 of 2012, subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Jitendra Mohan Sharma, J.)

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