

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8014 of 2016

Arising Out of PS.Case No. -518 Year- 2015 Thana -BUXAR District- BUXAR

Mazahar Khan son of Juvair Khan, resident of village- Sarimpur, P.S. Buxar
(I), District- Buxar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Upendra Kumar(APP)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 23-02-2016 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner apprehends his arrest in connection with
Baxar Town P.S. Case No. 518 of 2015 for the offences
punishable under Sections 420, 467, 468, 471, 472/34 of the
Indian Penal Code.

The prosecution case, as lodged by the informant,
who is the cousin brother of the petitioner, is that he being sole
son of his father, Safat Khan, the entire property of his father
devolved upon him, but in collusion with the staff of the circle
office with intention to dispossess the informant of his ancestral
property, accused persons prepared a forged and fabricated

document and on the basis of the forged and fabricated document got mutation of his ancestral lands in the year 2015, although his father Safat Khan died on 17.10.1980.

It has been submitted by the learned counsel for the petitioner that the matter relates to property dispute and both the petitioner and the informant are cousin brothers. Date of death of Safat Khan as stated by the informant is incorrect as the date of death of Safat Khan is not 17.10.1980, but is 06.02.1990 as per the death certificate issued by the Department of Planning and Development Directorate of Statistics and Evaluation. Counsel for the petitioner further contends that it is a case of civil dispute and petitioner cannot be implicated for any criminal conspiracy. It has been further submitted that petitioner has clean antecedent, as is evident from paragraph 3 of this petition.

However, learned A.P.P. submits that petitioner is named in the First Information Report.

Be that as it may, let petitioner, above named, in the event of his arrest or surrender in the court below within a period of eight weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial

Magistrate, Buxar in connection with Buxar Town P.S. Case No. 518 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Nilu Agrawal, J.)

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