

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2848 of 2017

Arising Out of PS.Case No. -340 Year- 2016 Thana -KISHANGANJ District- KISANGANJ

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Safder Imam @ Safdar Imam Son of Islamuddin Resident of Mohalla - City
Tegheria, P.S. Kishanganj, District Kishanganj..... Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Amal Kumar Sinha

For the Opposite Party/s : Mr. Smt. Madhuri Lata

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

ORAL ORDER

2 09-02-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner apprehends his arrest in connection with
Kishanganj P.S. Case No. 340 of 2016 registered for the offences
punishable under Sections 420, 406, 418, 467, 468/34 of the
Indian Penal Code.

Allegedly, with aid and assistance of the petitioner being
witness co-accused Murtaza Hassan took Rs. 13,80,000/- on
different dates as baibeyana to execute sale deed and transferred
the said land to another person and further they did not return the
advance amount.

Submission is of false implication and that the petitioner is
simply a witness, in this case compromise petition has already
been filed at the time of hearing of ABP No. 395 of 2016 in the
court of Additional Sessions Judge Ist, Kishanganj vide annexure-



2 and as such the petitioner deserves sympathetic consideration.

Learned APP opposes the prayer of pre-arrest bail.

In the facts and circumstances stated above, considering that the petitioner is simply a witness, the petitioner above named in case of his surrender or arrest within four weeks from the date of receipt/production of a 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, Kishanganj in connection with Kishanganj P.S. Case No. 340 of 2016, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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