

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15371 of 2018

Arising Out of P.S.Case No. -118 Year- 2017 Thana -KHAJEKALLAN District- PATNA

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Jamil Ahmad @ Md. Jamil Ahmad, Son of Late Md. Siddique Col. Kalbe Ali Khan, Wakf Estate, Nauzar Katra, Diwan Mohalla, P.S.- Khajekallan, District- Patna.

.... Petitioner

Versus

1. The State of Bihar
2. The Chief Executive Officer, Bihar State Shiya Wakf Board, Patna, 2nd Manzil, Haj Bhawan, 34 Ali Imam Road, Harding Road, Patna-1.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar
For the Opposite Party/s : Smt. Anita Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 09-04-2018

Heard.

The petitioner apprehends arrest in connection with Khajekalan P.S.Case No.118 of 2017 registered for an offence under Sections 447 and 448 of the IPC and Section 52(A) of the Wakf Board Act.

It has been submitted that no offence under Section 52(A) of the Wakf Act is made out. The petitioner is a tenant in the premises of Col. Kalbe Ali Khan Wakf State, Patna City, Patna since 1995. The petitioner has been paying rent to the Wakf Board without any default. The Wakf Board without giving any opportunity has passed the order for vacating the premises.

Learned APP opposed the submissions.



Considering the aforesaid facts and circumstances, prayer for anticipatory bail is allowed. Let the above named petitioner in the event of his arrest or surrender before the court below within six weeks from today be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of SDJM, Patna City in connection with Khajekalan P.S.Case No.118 of 2017, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Sanjay Kumar, J)

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