

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9126 of 2019

Arising Out of PS. Case No.-627 Year-2018 Thana- TURKAULIYA District- East
Champaran

MD. ALAM @ SAIYAD MD. ALAM Son of Sahabuddin Resident of Village
and Post- Siswa, P.S.- Banjaria, District East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Krishna
For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 23-04-2019 Heard the parties.

The petitioner is apprehending his arrest in connection with Turkauliya (Banjaria) P.S.Case no.627 of 2018 G.R.Case No.6662 of 2018 , registered for offences punishable under Sections 420, 467 and 468/34 of the Indian Penal Code.

Allegation as per FIR is that the informant used to cultivate the land allotted to his ancestor share and on 20.09.2018, he came to know that the accused Md. Martin has got registered 16 dhur orchard land of Khata No.124, Khesra No.3734 in favour of his wife, which is allotted in the share of the informant, after committing cheating and fraud, thereafter, the informant inquired in the matter and came to know that Md. Martin executed a gift deed in favour of his wife with respect to the land of the informant and in that the petitioner is one of the witness.



Submission of the learned counsel for the petitioner is that the land is of the father of the petitioner and moreover he is only a witness on the deed and he has falsely been implicated in this case and the person executing deed has been granted bail by a Co-ordinate Bench of this Court vide order dated 22.2.2019 passed in Cr. Misc. No.10619 f 2019.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, East Champaran, Motihari in connection with Turkauliya (Banjaria)P.S.Case No.627 of 2018, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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