

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54420 of 2019

Arising Out of PS. Case No.-279 Year-2018 Thana- PARSABAZAR District- Patna

MD. ASAD RAHMAN Son of Md. Abdul Rahman Resident of Bank Road,
Gandhi Maidan, P.S.- Gandhi Maidan, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar Mishra

For the Opposite Party/s : Mr.Shailendra Kumar

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 16-11-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Parsa Bazar P.S. Case No. 279 of 2018, registered under
Sections 420, 467, 468, 469 and 120(B)/34 of the Indian Penal
Code.

The accusation is that Dr. Saleem Hashmi, grand
father of complainant, Sahiba Praveen, purchased 12 Annas
share of Plot Nos. 354, 521, 522, 523, 524 and 526 covering
under Tauzi No. 5537 Khata No. 49 of village Dariyapur, P.S.
Phulwarisharif, District Patna and came in possession. After
death of Dr. Salim Hasmi, informant and other Patidar came in
possession and also mutated their names in Register-II,



regarding which, some persons had filed appeal before the Deputy Collector Land Revenue, Patna Sadar and they lost their case. Thereafter, they also preferred Appeal Nos. 16821 of 2010/2013 of 2016 but the same was also dismissed by the Division Bench of Hon'ble High Court. Later on, she came to know that petitioner in collusion with Halka Karmchari got mutated his name in Register-II.

Learned counsel for the petitioner submits that admittedly, one Sk. Abdul Quadir of village Dariyapur is the Khatiyani raiyat of 30 acres land of Tauzi No. 49, out of which, he sold 3 acres 63 decimal on 29.02.1921 in Plot No. 354 area 1.40 decimal, Plot No. 523 area 52 decimal and Plot No. 524 area 3.63 decimal and since then petitioner and his ancestors came in possession and they have got their rent receipt through sale deed dated 29.02.1921 but with ulterior motive, the present case has been lodged with false allegation, while other persons have lost their case and appeal up to High Court.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like



amount each to the satisfaction of the Learned J.M. Ist Class,
Patna, in connection with Parsa Bazar P.S. Case No. 279 of
2018, subject to the condition as laid down under Section 438(2)
of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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