

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58683 of 2019

Arising Out of PS. Case No.-163 Year-2019 Thana- MOTIHARI TOWN District- East
Champaran

HAIDAR ALI @ MD. HAIDAR ALI, Son of Samim Akhtar Resident of
Village- Bara Bariyarpur, P.S- Chhatauni, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Umesh Chandra Verma, Adv.
For the Opposite Party/s :	Mr.Ram Priya Sharan Singh, APP
	Mr. Dilip Kumar Tandon, Adv.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-09-2019 The petitioner apprehends his arrest in connection with
Motihari Town P. S. Case No. 163 of 2019 registered under
Sections 420, 467, 468, 471 and 506/34 of the Indian Penal Code.

Allegation against the petitioner is that petitioner signed as
a witness in a sale deed executed in favour of co-accused Manohar
Kumar Singh by the vendor Smt. Amrita Singh appertaining to
Khata No. 65, Khesra No. 643, Rakba 1 Katha 10 Dhur situated at
Mauza- Bankat, P.S.- Motihari, Muffasil, District – East
Champaran inasmuch as the allegation is that the vendee i.e.,
Manohar Kumar Singh by impersonating other person in the name
of Amrita Singh and by preparing false PAN Card, has got the sale
deed executed in his favour for the aforesaid land on 12.12.2018.

Mr. Abhishek Kumar, learned counsel appearing on behalf
of the petitioner submits that insofar as petitioner is concerned, he
has merely signed on the sale deed as a witness, which was



executed in favour of co-accused Manohar Kumar Singh and petitioner is not the beneficiary of the same.

Mr. Dilip Kumar Tandon, learned counsel for the informant, vehemently opposes the prayer for anticipatory bail and submits that petitioner is also one of the accomplice in the fake transaction regarding the sale of the land of the informant by producing a fake person.

Having regard to the submissions made by the parties and taking into consideration the fact that petitioner is merely a witness in the sale deed and is not the beneficiary of the transaction, accordingly, I am inclined to grant anticipatory bail to the petitioner.

Let the petitioner, above-named, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned CJM, East Champaran at Motihari in connection with Motihari Town P.S.Case No. 163 of 2019; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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