

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14487 of 2022

Arising Out of PS. Case No.-553 Year-2019 Thana- TURKAULIYA District- East
Champaran

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NAZARE ALAM Son of Amir Hussain Resident of Village - Sariswa, P.S. -
Harsiddhi, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Pranav Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 420, 468, 469, 471, 120(B), 342, 323, 504 and 506 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that his great grand-father ‘Saroj Kumar Pandey’ had one Katha ten dhur of land at village Parsurampur and the same was partitioned amongst his brother and since then the said land is coming in peaceful possession of the informant which also has trees planted, it is next alleged that Santosh Chaubey had



already sold his share of the land in the said Khasra in the year 2002 itself and since then his vendees were coming in possession of the said land, it is next alleged that Santosh Chaubey knowing the fact that the said land belongs to the informant, sold the same to Md. Kalam Hussain and Sunil Kumar on 10.06.2019 after selling his share of land through registered sale deed after committing cheating and forgery, it is next alleged that Pintu and petitioner put their signature on the sale deed as witnesses, it is next alleged that the accused persons including the petitioner on 12.06.2019 came on tractor over the aforesaid land and started cutting trees and tried to fill the soil on the land and when the informant objected he was assaulted.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case, it is next submitted that Santosh Chaubey and informant are related and they are having a land dispute and the petitioner only put his signature as a witness on the sale deed which was executed by Santosh Chaubey in favour of Md. Kalam Hussain and Sunil Kumar, it is next submitted that if informant is aggrieved by the sale deed executed by Santosh Chaubey, he has remedy available to get the sale deed cancelled but instead of availing his remedy available in law, the present criminal case has been



instituted which is nothing but an abuse of the process of the Court.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Turkaulia P.S. Case No. 553 of 2019 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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