

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26832 of 2022

Arising Out of PS. Case No.-243 Year-2021 Thana- NAANPUR District- Sitamarhi

BADRE ALAM @ MD. BADRE ALAM S/o Jahir Alam R/o village- Bokhra,
Ward No. 10, P.S.- Nanpur, District- Sitamarhi (Bihar)- 843318

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Shailesh Kumar, Advocate
For the State	:	Mr.Bharat Bhushan, APP
For the informant	:	Mr.Md. Shamimul Hoda, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-11-2022 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

Learned Counsel for the petitioner is directed to
remove the defect(s), as pointed out by the office, within a
period of four weeks.

The petitioner is apprehending his arrest in a case
registered under Sections 420, 467, 468, 471 and 120(B) of the
Indian Penal Code.

Prosecution case, in short, is that co-accused Md.
Kasim claiming himself as Md. Taiyab has sold the land of
jamabandi NO.4584 bearing khata No.1401, khesra No.5277
area 2 decimal in the name of his father in favour of the
petitioner. It is further alleged that informant's father Md.



Taiyab has died three years ago and Md. Kasim along with the petitioner in collusion with each other created forged document of sale deed.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been made accused due to mistake of fact. There was a piece of land which was purchased by the petitioner. As per the informant, said land does not belong to the person, who has sold the land to the petitioner. The petitioner had no knowledge regarding the said fact. The person had sold the land in the name of co-accused and his name is Md. Kasim. No offence is alleged to have taken place as being the purchaser of the land. The matter relates to civil dispute. The informant can get the matter settled only by filing the suit before the concerned court.

On behalf of the State and learned counsel for the informant, it is submitted that the petitioner is named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve 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 learned S.D.J.M., Pupri, Sitamarhi in connection with Nanpur P.S. case No.243/2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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