

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48304 of 2021**

Arising Out of PS. Case No.-60 Year-2020 Thana- SAMASTIPUR District- Samastipur

MD. KHURSHID @ CHHOTE Son of Md. Jan Resident of Village-
Dharampur, Ward No. -2, P.S.- Nagar, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Hussamuddin Azad

For the Opposite Party/s : Mr. Madhura Nand Jha

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 25-04-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner undertakes to remove the defects, as pointed out by the office, within four weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner apprehends his arrest in Nagar P.S. Case No. 60 of 2020 registered for the offences punishable under Section 34, 406, 420, 467 & 468 of the Indian Penal Code pending in the Court of learned C.J.M., Samastipur.

The allegation against the petitioner is that he in association of other co-accused has sold a land to the informant in which khesra number was wrongly mentioned. Petitioner is a



land broker.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case due to land dispute. As a matter of fact, the land in question is the maternal and Mouroosi (ancestral) land of the petitioner. The husband of the informant is a litigant person and only to grab the other land of the petitioner this false and frivolous case has been lodged against him. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. It is further submitted that some of the co-accused have been granted bail by the learned Court below on the basis of a compromise entered into between the parties. The petitioner has no criminal antecedent.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, the petitioner is directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order, especially considering the fact that some co-



accused have been granted bail by the learned Court below on
the basis of the compromise entered into between the parties.

(Anjani Kumar Sharan, J)

Trivedi/-

U		T	
---	--	---	--

