

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39301 of 2022

Arising Out of PS. Case No.-92 Year-2021 Thana- DHAMDAHA District- Purnia

MD. SAJJAD @ SAJJAD ALAM S/o Nabab Miyan @ Nabad Hussain R/o
village- Chandrahi, P.S.- Dhamdaha, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ram Prawesh Kumar, Advocate
For the Opposite Party/s	:	Mr. Shahabuddin Azeem @ S. Azeem, APP
For the Informant	:	Mr. Amit Kumar Anand, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 14-10-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State

as well as learned counsel for the informant, through Virtual

Court Proceedings.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with
Dhamdaha P.S. Case No. 92 of 2021 registered for the offence
under Sections 323, 341, 406, 420, 34, 467, 468, 120(B) of the
Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 29.03.2022.

The allegation against the petitioner is to commit
forgery and while committing so, mutation of land was made in



his favour along with other co-accused person. It is further alleged that forgery was committed by creating false death certificate of informant/father.

Learned counsel appearing on behalf of the petitioner submitted that petitioner has been falsely implicated in the present, as matter is completely related with family partition. It is further submitted that admittedly, petitioner is also one of the co-sharer and as such, there is no occasion to create a forged document, what he entitled to inherit in due course. It is pointed out that allegation, as alleged, is purely civil in nature, where, the present criminal proceeding is only to pressurize this petitioner to give up his legitimate share. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP duly assisted by learned counsel for the informant, while opposing the prayer of bail, fairly conceded the fact that petitioner is the son of informant.

Considering the facts and circumstances as mentioned above, as petitioner is the son of informant, where, dispute founded over family partition and petitioner is in custody since



29.03.2022 coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Dhamdaha P.S. Case No. 92 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Purnea/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

S.Katyayan/-

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

