

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46966 of 2022**

Arising Out of PS. Case No.-253 Year-2021 Thana- CIVIL LINE District- Gaya

Md. Gulam Sarwar Son Of Md. Sarfaraz R/V- Bara, P.S- Chakand, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shams Akhtar, Adv.

For the Opposite Party/s : Mr. Amit Kumar Rakesh, APP

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

2 06-12-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to
remove the defects, if any, within three weeks.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 406, 409,
467, 468, 471, 419, 420 and 34 of the Indian Penal Code.

The prosecution case as per typed report of the
informant namely Jahnara Khatoon, in brief is that one Yasmin
Bano wife of Md. Yasir has impersonated the informant in
conspiracy with one Md. Wasim and Md. Gulam Sarwar and got
sale deed with regard to her property, executed in her name vide
sale deed No. 13763. It is also alleged in written report that Md.



Yasir has also hand in the aforesaid conspiracy.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that petitioner is simple a witness of the alleged sale deed and neither he has committed any forgery nor he has beneficiary of sale deed in question. He submits that this is a matter of civil dispute for which the informant has civil remedy and no criminal offence is made out against the petitioner. He submits that similarly situated co-accused has already been granted bail by the learned Court below itself. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of the case and the fact that petitioner is only the witness in the sale deed, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Civil Line P.S. Case No. 253 of 2021, subject to



the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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