

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60098 of 2021

Arising Out of PS. Case No.-484 Year-2018 Thana- MADHEPURA COMPALINT CASE
District- Madhepura

MD. QURBAN ALI Son of Late Haji Abdul Latif Resident of Village-
Tikulia, Ward No.09, P.S.- Kumarkhand, District- Madhepura.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ranjay Kumar Singh, Advocate
For the Opposite Party/s	:	Mr.Md. Matloob Rab, APP
For the Complainant	:	Mr. Pawan Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-02-2022 Due to the third wave of COVID-19 Pandemic, the
matter is being taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the complainant through
virtual mode.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the Office, within a period
of four weeks after restoration of normalcy.

The petitioner is apprehending his arrest in a case
registered under Sections 420/34 of the Indian Penal Code.

The prosecution allegation, in short, is that the



petitioner committed forgery by making forged sale deeds to grab the property of the complainant.

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 falsely been implicated in the present case. The petitioner is said to be elder brother-in-law of the complainant. There is property dispute in the family. Certain land belonging to the husband of the complainant has been executed in favour of the petitioner by the in-laws. For the said reason, the present complaint case has been filed. The matter relates to civil dispute.

On behalf of the State and the complainant, it is submitted that the petitioner is named in the F.I.R.

It is necessary to indicate here that this Court while considering the prayer made in the present anticipatory bail application has taken note of the exponential rise in number of covid cases due to outbreak of third wave of Covid-19 pandemic. Further this Court can also not lose sight of the fact that the condition of jails is not conducive and suitable to the present situation which has arisen due to the sudden rise in covid cases.



Considering the aforesaid facts and circumstances, the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bonds to the satisfaction of learned A.C.J.M., Madhepura in connection with Madhepura Complaint Case No. 484 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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