

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61817 of 2021**

Arising Out of PS. Case No.-13 Year-2017 Thana- ARARIA District- Araria

MD. MOBIN @ MOVIN S/o Late Jarjul @ Serajul R/o village- Hariabara,
P.S. and District- Araria

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Prasad Singh

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 28-06-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Araria P.S. Case no. 13 of 2017 instituted for the offence under Sections 341, 323, 379, 467, 468/34 of the Indian Penal Code.

Prosecution story in brief as per written application of informant Vijay Singh is that a piece of land is in his possession from year 1970 and purchased in his and his brothers name vide deed no. 2078 dt. 14.12.1990 and mutated and land revenue paid upto date. Some days back the petitioner and other six named accused persons erected pillars on that land and constructed a hut in night, which he reported to police. Again



on 08.01.2017 he came to know that the land is being excavated by accused persons with tractor. He reached there and protested upon which they all abused and tried to assault. The informant fled and informed the police. The petitioner claims the land on the basis of deed no. 11229 dt. 17.05.1982.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Petitioner has never forged any document which purports to be a valuable security etc. and the informant has just claimed the same without any documentary evidence. The present dispute is purely civil in nature. Similarly situated co-accused Sanjay Mishra has already been granted anticipatory bail vide order dated 22.04.2019 passed in Cr. Misc. No. 26009 of 2019.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Araria P.S. Case no. 13 of 2017 he will be



enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Araria subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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