

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14253 of 2023

Arising Out of PS. Case No.-148 Year-2022 Thana- TARAPUR District- Munger

Md. Tabrej Uddin S/o Halim Uddin, R/O Village- Gazipur, P.S- Tarapur,
District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Kamal Nayan, Advocate.

For the Opposite Party/s : Mr.Vinod Shanker Modi, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 29-03-2023 Heard Mr. Kumar Kamal Nayan, learned counsel
appearing on behalf of the petitioner and Mr. Vinod Shanker
Modi, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Tarapur P.S. Case No. 148 of 2022 registered for the
offence punishable under Sections 420, 467, 468 and 471/34 of
the Indian Penal Code.

3. Allegation against the petitioner is that he was
witness to two sale deeds duly executed by one Bibhanshu
Kumar Choudhary in favour of the purchaser Faiyaz Alam.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner being not aware of any fraud
having been committed by the purchaser Faiyaz Alam and
without verifying the records has put his signature as a witness
on behalf of the purchaser. Petitioner is a student and was



unaware of such fraud. Petitioner has clean antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Having considered the rival submissions of the parties, the dispute primarily relates to cancellation of sale deeds. Informant is the original landlord and such forgery has been committed by one Bibhanshu Kumar Choudhary. The person aggrieved by the forgery has a remedy before the competent Civil Court. It appears to me that the petitioner has made out a case to be granted pre-arrest bail.

7. The petitioner is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IV, Munger in connection with Tarapur P.S. Case No. 148 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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