

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16497 of 2023**

Arising Out of PS. Case No.-449 Year-2022 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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Md Abuquisar @ Guddu S/O Md. Abu Nasar R/O- Ward No. 9, Bari Masjid,
P.S.- Sohsarai, District- Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priyanka Kumari D/O Late Birendra Kumar Singh R/O Mohalla- Sherpur,
P.S.- Bihar, Town Biharsharif, District- Nalanda

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhola Prasad

For the Opposite Party/s : Mr. Uday Pratap Singh

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

5 07-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Though a counter affidavit is being filed on
behalf of the opposite party no. 2, but nobody appears on behalf
of the opposite party no. 2.

3. The petitioner apprehends his arrest in a case
registered for the offences punishable under 420, 504, 506/34 of
the Indian Penal Code.

4. As per the prosecution case, allegation against
the petitioner is that on his assurance that the land is genuine,
the complainant had purchased the land from the co-accused
person after payment of huge consideration amount but later on,



it has been found that forged document was executed by co-accused persons in connivance with the petitioner.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that merely because the petitioner introduced the complainant with the vendor and facilitated the sale, it cannot be said that he had an intention to cheat the complainant. He further submits that co-accused, Md. Abunasar, who is father of the petitioner has been enlarged on bail by a co-ordinate bench of this court vide order dated 18.05.2023 passed in Cr. Misc. No. 14371 of 2023. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

6. Learned APP for the State opposes prayer for anticipatory bail.

7. Considering the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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 Complaint Case No. 449C of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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