

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34779 of 2023

Arising Out of PS. Case No.-906 Year-2021 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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HAFIZ ANSARI, Son of Late Nazir Ansari, Resident of Village - Naua, P.S.-
Dinara, District - Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ajijul Haque Ansari @ Ajijul Ansari, Son of Late Nesar Ansari, Resident of
village - Naua, P.O.- Dedhaya, P.S.- Dinara, District - Rohtas

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr.Ajay Kumar Tiwari, Advocate
For the State	:	Mr.Mukesh Kumar Singh, APP
For the Informant	:	Mr.Md. Fazle Karim, Advocate

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 21-07-2023 1. Heard learned counsel for the petitioner and

learned APP for the State of Bihar, as well as learned counsel

for the informant.

2. The petitioner is apprehending his arrest in

connection with Complaint Case No. 906 of 2021 alleging

offence under Sections 406 and 420 of Indian Penal Code.

3. The complaint has been lodged based on

allegations which are founded on some alleged transactions with

respect to certain lands in the year 1994. The complaint petition

has been filed in the year 2021.

4. Drawing attention of the court towards the

allegations as also the fact that one title suit bearing Title Suit



No. 812 of 2021 is also pending with respect to the same lands, learned counsel for the petitioner submits that the prosecution is attended with *mala fide* to coerce the petitioner to come to terms with respect to the subject which forms the issue in the civil proceedings. The petitioner has no antecedents.

5. Learned APP for the State as well as learned counsel for the informant have opposed the prayer for bail. It is submitted that the complainant has been cheated by the petitioner.

6. Considering the rival submissions, nature of allegations and clean antecedents, this Court is inclined to allow petitioner's prayer for grant of anticipatory bail.

7. Petitioner's prayer for anticipatory bail is allowed.

8. Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Rohtas, in connection with Complaint Case No. 906 of 2021, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure as also subject to the following conditions:



- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.
- (ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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