

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43857 of 2022**

Arising Out of PS. Case No.-246 Year-2021 Thana- SIKTI District- Araria

Md Masood Alam S/O Ali Mohammad Resident Of Village- Shyampur, P.S.-
Palasi, District- Araria ... Petitioner

Versus

The State Of Bihar ... Opposite Party

Appearance :

For the Petitioner/s : Mr.Anil Prasad Singh, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar, Addl Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

7 10-07-2023 Heard learned counsel for the petitioner, informant
and the State.

The petitioner apprehends arrest in a case registered
for the offence punishable under section 420 of the Indian Penal
Code.

As per the prosecution case, an inspection by DEO,
Araria it was found that on the basis of forged documents
petitioner is claiming to be Secretary of Madarsa Darul Ulum
Shamsheriya, Sikty.

Learned counsel appearing for the petitioner submits
that in order to dispossess and oust the petitioner from the post
of Secretary, this false case has been lodged. During the so-
called inspection, petitioner was neither heard nor given any
opportunity and only on the documents supplied by his
opponents, this case has been lodged against this petitioner. As a



matter of fact petitioner is the Secretary of working committee of said Madarsa and being Secretary for establishment of Madarsa, the petitioner had purchased land of Mauza Muraripur Khata No. 316 Plot No.1771, 1772, 1773, 1794, 1795, 1805, 1806, 1774, 1644 area 50 decimal in the name of Excellency Governor, Bihar through registered sale deed no.3180 dated 28.3.2011 over which Madarsa is running. However, said land was purchased from father of informant Md. Kafiluddin and Md.Kaisar Alam (the informant). Original registration letter has been lost from possession of petitioner for which petitioner being Secretary lodged Sanha (annexure 2). Petitioner claims clean antecedent.

Learned counsel for the State as well as the informant oppose the prayer for bail.

Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate 1st class, Araria in Sikty Police Station Case No. 246 of 2021, subject to the conditions laid down under section 438(2) of the Code of



Criminal Procedure.

(Prabhat Kumar Singh, J)

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