

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48024 of 2022

Arising Out of PS. Case No.-238 Year-2018 Thana- DUMRAO District- Buxar

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1. SMT. NURUN NISHA D/o Late Mohammad Jamil Khan and W/o Mohammad Ashfak Khan Permanent resident of village- Naya Bhojpur, PS- Dumron, Dist- Buxar, presently residing at Moh. Gupta Building, Gouri Shankar Road, Jugsalai, PS- Jugsalai, Dist- Jamshedpur, Jharkhand.
 2. Mehtab Alam Son of Mohammad Ashfak Khan Permanent resident of village- Naya Bhojpur, PS- Dumron, Dist- Buxar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Roy

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 16-01-2023 Heard both sides.

The petitioners apprehend their arrest in connection with Dumroan (Naya Bhojpur O.P.) P.S. Case No.238 of 2018, registered for the offences punishable under Sections 467, 468, 471, 406, 420 and 120(B) of the Indian Penal Code.

The informant, Md. Kalim Khan alleged that in connivance with Md. Minhaz Khan, co-accused, Smt. Nurun Nisha, petitioner no.1 has executed forged and fabricated Sale Deed No.3110 on 15.03.2018 measuring Area 25 Decimal in favour of Bharat Singh in which Mehtab Alam, petitioner no.2 has assisted and the said land belongs to informant Md. Kalim Khan.



Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. It is submitted that the petitioners have got no criminal antecedent as stated in paragraph-3 of the bail application.

Learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioners.

Taking into consideration the nature of allegation and the materials available in the case diary, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the prayer for grant of anticipatory bail to the petitioners is hereby rejected.

However, if petitioners surrender before the learned court below within a period of six weeks from today and prays for regular bail, the learned court below shall consider the prayer for regular bail of the petitioners preferably on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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