

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 58742 of 2022

Arising Out of PS. Case No.-23 Year-2022 Thana- GOPALGANJ TOWN District- Gopalganj

1. SHAMSAD ALAM @ SHAMSHAD ALAM Son of Late Asgar Ali Resident of village - Bhitbherwa, Police Station - Gopalganj, District - Gopalganj.
2. Kamran Alam @ Kamran Ahmad Son of Late Asgar Ali Resident of village - Bhitbherwa, Police Station - Gopalganj, District - Gopalganj.
3. Nesar Alam @ Neshar Ahmad Son of Late Asgar Ali Resident of village - Bhitbherwa, Police Station - Gopalganj, District - Gopalganj.
4. Imran Alam Son of Late Asgar Ali Resident of village - Bhitbherwa, Police Station - Gopalganj, District - Gopalganj.
5. Jamaluddin Ansari @ Kalamuddin Ansari @ Kamaluddin Ansari Son of Faroh Alam Resident of village - Bhitbherwa, Police Station - Gopalganj, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh, Adv.
For the Opposite Party/s : Mr.Rajendra Nath Jha, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-01-2023 Heard the parties.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 420, 457, 468, 471, 387, 120(B) of the Indian Penal Code.

The prosecution, in brief, is that the petitioners in collusion with each other fraudulently created forged documents and on that basis, they want to grab the land of the informant and to forgive the claim of the land of the informant, the accused persons demanded Rangdari of Rs. 40,00,000/-.



It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have not committed any offence. They have been falsely implicated in this case merely on suspicion. Neither the petitioners are vendors or vendees nor are the witnesses on the alleged sale-deed. They are also not the identifiers of the sale-deed in question. The sale deed executed in favour of the Md. Bahauddin Ahmad by Md. Fakhruddin Ahmad clearly suggests that it is not a forged document. It is further submitted that the present case against the petitioners is filed to put pressure upon them so that the petitioners could not claim their share in the property. It is a case of purely civil nature. There is no specific allegation against the petitioners. Petitioner no.1 has two criminal antecedents where as petitioner nos. 2 to 5 have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since the dispute between the parties is of civil nature, let the above named petitioners, be released on bail, in the event of their 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) each 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 Gopalganj Town P.S. Case No. 23 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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