

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67266 of 2023

Arising Out of PS. Case No.-731 Year-2019 Thana- SUPAUL District- Supaul

MD MEHADI HUSSAIN S/O- LATE SEIKH YASIM R/O- VILLAGE-
CHAK DUMARIYA PUNARAWAS, WARD NO. 10, P.O.- PIPRA KHURD,
P.S.- SUPAUL, DIST.- SUPAUL

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR, PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrit Abhijat

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 19-10-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner apprehends arrest in connection with
Supaul P.S. Case No. 731 of 2023 registered for the offence
under sections 447, 353/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that
petitioner has not committed any offence as alleged in the first
information report and he has been falsely implicated in this
case. Petitioner was allotted land in Layout Nos. 15 and 16 but
due to mistake he started residing in Layout No. 74, as is
evident from Annexure-2. It is further submitted that the State
Government has clarified that the displaced persons who have
settled in different plot from the plot originally settled will be



allotted the same plot, as is evident from Annexure-3. Petitioner was settled 13 decimals of land in Layout No. 74, however the certificate issued in favour shows that only 6 decimals of land is settled in his favour in in Layout No. 74, as is evident from Annexure-4. In connection with encroachment on his land, petitioner represented the matter before the authorities vide Annexure-5 and in retaliation the informant has filed the present false case. Petitioner has no criminal antecedent.

Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, the petitioner, above named, in the event of arrest or surrender within a period of four weeks from today, is directed to be released on bail on furnishing personal bond to the satisfaction of Chief Judicial Magistrate, Supaul in connection with Supaul P.S. Case No. 731 of 2023 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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