

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70711 of 2023**

Arising Out of PS. Case No.-550 Year-2022 Thana- SIMRI BAKHTIYARPUR District-
Saharsa

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WAKARUL HASAN @ WAQARUL HASAN LATE CHOUDHARY
IFTEKHARUL HASAN RESIDENT OF VILLAGE- TARIAMA, PS-
BAKHTIARPUR, DISTRICT- SAHARSA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Paritosh Parimal, Advocate
For the State	:	Mr. Arun Kumar Singh, APP
For the Informant	:	Mr. Pawan Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 24-11-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Simri Bakhtiarpur P.S. Case No. 550 of 2022 registered for
the offences punishable under Sections 420, 467, 468, 469, 471
and Section 34 of the Indian Penal Code.

3. As per prosecution case, the petitioner in collusion
with other accused persons fraudulently purchased a land and
created *jamabandi*, accordingly, which was earlier purchased by
the informant.

4. Learned counsel for the petitioner submits that the



FIR has been instituted after a delay of eight years and the alleged manipulation in *Jamabandi* Nos. 398, 548, 215 and 494 was created in the year 1982-83 by the Circle Officer, *Simri Bakhtiyarpur* and on the said date the petitioner was only aged about 8 years and all the more *Jamabandi* receipts were running in the exclusive name of his grandfather. He further submits that the case is of civil nature and in this regard a suit is pending bearing Title Suit No. 208 of 2015. He further submits that the similarly situated co-accused namely *Sarfarazul Hasan* has already been granted anticipatory bail vide order dated passed by a coordinate Bench of this Court in Cr. Misc. No. 70530 of 2023. Petitioner has two criminal antecedent one of which, he is on police bail and in the other case charge-sheet has not been filed against him.

5. Learned APP as well as the learned counsel for the informant opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing



bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court where the case is pending in connection with Simri Bakhtiarpur P.S. Case No. 550 of 2022, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Sunil Dutta Mishra, J)

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