

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16095 of 2024

Arising Out of PS. Case No.-466 Year-2023 Thana- DHAKA District- East Champaran

Aslam @ Md. Aslam Son Of Md. Zakariya R/O-Bhagwanpur Tola, Khairawa,
P.S.-DHAKA, Distt.-EAST Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shamim Akhtar Son Of Late Seikh Manir R/O-Dhaka Ramchandra, Tola Mohabbatpur, P.S.-DHAKA, Distt.-EAST Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Asif Kalim, Advocate
For the Opposite Party/s	:	Mr. Chandra Bhushan Prasad, APP
For the Informant	:	Md. Waliur Rahman, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 03-04-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Dhaka P.S. Case no. 466 of 2023 registered under sections 420, 467, 468, 471 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that he purchased 12 dhurs of land from one Md. Husnain and he has complete title and also possession over the land in question. It is further stated that the seven named accused persons created disturbance in his possession over the said land. The informant further states that the petitioner stated that he had purchased this land from one Antima Tiwary who had purchased



it from the informant. The informant had never executed any such sale deed in favour of Antima Tiwary.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. The allegations in the F.I.R are primarily civil in nature and even if the statement of the informant is to be accepted, it appears that the petitioner himself has been cheated. The petitioner has no criminal antecedent and undertakes to cooperate in the case.

5. The application for anticipatory bail is opposed by learned APP for the State and learned counsel for the informant. Learned counsel for the informant submits that not only the petitioner is named in the F.I.R but there is direct allegation against the petitioner as also one Antima Tiwary of having cheated the informant and of having made an attempt to dispossess him from his land in question. It is further submitted that some of the co-accused including one Md. Sabir Alam have been enlarged on regular bail while this is an application for anticipatory bail.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegations against the petitioner in the F.I.R, the contents of the petition together with submissions made, it is directed that the petitioner, above



named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Dhaka P.S. Case no. 466 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Sikrahana at Dhaka, District- East Champaran subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Partha Sarthy, J)

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