

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20317 of 2024

Arising Out of PS. Case No.-709 Year-2022 Thana- ARARIA District- Araria

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Fazle Rabani @ Mir Fazle Rabbani, Gender-Male, aged about 47 years, S/O
Mir Yunus @ Yunus Ali, R/O Village- Tharia Bakia, P.S- Simraha, Distt.-
Araria, Bihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Kumar Ravish, Advocate
For the Opposite Party : Mr. Rajiv Nayan

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 18-04-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Araria P.S. Case No. 709 of 2022 dated
21.08.2022 registered for the offences punishable under
Sections 467, 468 and 420/34 of the I.P.C.

3. As per the prosecution case, the petitioner and the
co-accused persons after tampering with the documents of the
land bearing Khata No. 1871, Plot No. 9795 measuring an area
2 decimals and 100 square kadi tried to grab the land of the
informant. It is further alleged that all the accused persons under
conspiracy to each other got involved him in land dispute for
about 5-6 years with an intention to cheat him and committed



criminal breach of trust. It is further alleged that after making base of forged sale deed they tried to take wrong benefits in the office of the D.C.L.R., Araria. The true evidence of land is available before the S.D.M., Araria. It is further alleged that in Sale Deed No. 9312/072 the name of a person of Raniganj Block has been mentioned whereas Mir Rizwan etc., are residents of Araria Block.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. It is submitted that there is land dispute between the parties. It is submitted that the petitioner is a bonafide purchaser of land under Mauza-Basantpur, Khata No. 1871, Plot No. 9795, measuring an area of 3 decimals 550 square feet and Khata No. 2497, Plot No. 9794 measuring an area of 3 decimals 700 square feet i.e., total 7 decimals and 250 square feet from Md. Alam by way of registered sale deed and his name was also mutated in the Sirista of Bihar and he has obtained up-to-date rent receipt also. Thereafter the petitioner constructed his house after sanctioning of building map by the Araria Nagar Parishad. The petitioner has three criminal antecedents as stated in paragraph no. 3 of the bail application.

5. Learned A.P.P. for the State has opposed the prayer



for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court concerned, Araria, in connection with Araria P.S. Case No. 709 of 2022, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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