

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38621 of 2024

Arising Out of PS. Case No.-658 Year-2022 Thana- GAYA COMPLAINT CASE District-
Gaya

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Kasif Fatemi Son of Muzaffar Fatemi R/O Mohall.- New Karimganj, West
Block, Road no. 10, P.S.-Civil Lines, Dist.- Gaya

... .. Petitioner/s

Versus

- 1 . The State Of Bihar
2. Ramanand Yadav Son of Late Baigan Yadav R/o Vil.- Katari, P.S.-
Chandauti, Dist.- Gaya

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyaveer Jha, Advocate
For the Opposite Party/s : Mr. Sharda Kumari , APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 20-09-2024 Heard learned counsel for the petitioner and the

State .

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 323 , 324, 149, 420, 406,
467, 468 and 471 of the Indian Penal Code .

3 . As per the prosecution case , this petitioner along
with other co-accused got the land of the informant fraudulently
executed in the name of other accused person .



4. Learned counsel for the petitioner submits that the land in question has been purchased by mother of petitioner from one S. Naqi Imam. The sale deed was executed and registered on 10.07.1990. Since the date of purchase, the mother of petitioner was in peaceful possession over the land in question. The rent receipt of the land was also granted in the name of mother of petitioner and on 17.08.1990, the order for mutation of the above noted land was passed in favour of the mother of petitioner. It is further submitted that after the death of mother of petitioner, this petitioner came in possession over the land in question and being the owner petitioner has executed a sale deed in favour of Smt. Niranjana Kumari by registered sale deed dated 26.04.2022. Moreover, the dispute is purely of civil nature for which petitioner has got alternative remedy in the Court below. Petitioner claims clean antecedent.

5. Learned counsel for the State opposes the bail petition of the petitioner.

6. Considering the aforesaid facts, clean antecedent of the petitioner and other circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the



like amount each to the satisfaction of the learned Judicial Magistrate First Class, Gaya in connection with Complaint Case No. 658 of 2022 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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