

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49834 of 2024

Arising Out of PS. Case No.-679 Year-2018 Thana- COMPLAINT CASE District- Supaul

Md. Shoaib Ahmad @ Shoeb Ahmad S/o Late Md. Sagiruddin R/o vill -
Maharampur, P.S. - Jadiya, Distt. - Supaul

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Md. Islam S/o Late Md. Asir R/o vill - Phulkaha, P.S. - Jadiya, Distt. -
Supaul

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pratibha Srivastava

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 28-08-2024 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with
Complaint Case No. 679C / 2018 dated 31.07.2018 registered
under Sections 420 of the I.P.C.

3. As per the allegation made in the complaint the
complainant purchased agricultural land from the petitioner in
January, 2013 and when he arrived at the land, the co-accused /
Md. Arshad stopped him from ploughing / tilling the land in
question and told that petitioner's father Md. Sagiruddin had
sold the land in favour of Md. Arshad much earlier. It has been



alleged that the petitioner along with others have cheated a sum of Rs. 2,25,000/- from the complainant by selling the land in his favour which was already sold by the petitioner's father.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case after five years of execution of the sale deed in favour of the complainant by the petitioner inasmuch as from the complaint it appears that the land was sold in the year 2013 but the complaint has been filed in the year 2018. Learned counsel submits that petitioner is not aware about the land having been sold by his father earlier and in the complaint there is no specific mention about the date of sale by the father of the petitioner in favour of Md. Arshad.

5. Regard being had to the submission made by the parties, taking into consideration the nature of allegation and the fact that complainant purchased the land in the year 2013 from the petitioner and has filed the complaint after five years, as such, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of



C.J.M., Supaul in connection with Complaint Case No. 679C /
2018 subject to the condition as laid down under Section 438 (2)
of the Cr.P.C.

(Anil Kumar Sinha, J)

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