

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67564 of 2023

Arising Out of PS. Case No.-166 Year-2019 Thana- SAHARSA COMPLAINT CASE
District- Saharsa

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Zafar Alam Son Of Late Kyamuddin Village Ghordhaur Tola Laxmipur P S
Salakhua District Saharsa

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Adv. Mr. Bhaskar Shankar, Adv.
For the State	:	Mr. Shantanu Kumar, APP
For the Complainant	:	Mr. Anjum Praveen, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 19-03-2024 Heard learned Senior Counsel for the petitioner,

learned A.P.P. for the State and learned counsel for the

complainant.

2. The petitioner apprehends his arrest in Complaint
Case No. 166 of 2019 registered for the offences punishable
under Sections 420, 467, 468, 471, 323, 379, 384, 120(B) of the
Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the accused persons
hatched a criminal conspiracy claims on complainant's land by
executing registered deed. The petitioner along with other co-
accused persons, armed with weapons, were irrigating the
purchased land of the complainant. On being objected, they all



assaulted the complainant and demanded extortion money from him.

4. Learned Senior Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the petitioner as well as co-accused, Md. Afroz Alam had purchased the land from co-accused Md. Abdul Wasid. He further submits that one of the co-accused has been granted anticipatory bail by the learned Court below. The petitioner has twelve criminal antecedents as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the complainant opposed the prayer anticipatory bail and submitted that the petitioner is a land grabber and demanded extortion money from the petitioner. Hence, he does not deserve privilege of anticipatory bail.

6. Considering the facts and circumstances of case and the criminal antecedents of the petitioner, it is not fit case for grant of anticipatory bail, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.



7. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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