

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65547 of 2024

Arising Out of PS. Case No.-133 Year-2022 Thana- BUDDHACOLONY District- Patna

Md. Ibrahim Son of Late Miya Jan Resident of China Kothi, Musium Road,
P.S. - Budha Colony, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shambhu Sharan Singh, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 01-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Budha Colony P.S. Case No. 133 of 2022 dated 30.03.2022
instituted for the offence punishable under Sections 467, 419 and
420 of the Indian Penal Code.

3. The allegation against the petitioner is that he got
electric connection on the basis of fake *ekrarnama* with intention
to grab the house of the informant. On the said *ekrarnama*, the
petitioner put forged and fabricated signature of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is further submitted that the petitioner is the brother-in-law
of the informant. The petitioner came Patna in the year 1968 from



his native village and he got possession of the plot in question from one Sarwan Sao, who is now dead. In the year 1968, the petitioner got possession of plot, in question, from Sarwan Sao and is residing therein since that time. The petitioner got married with one Khairul Nisha, who is the deponent of this bail application. The allegation against the petitioner is that he got electric connection on the basis of forged and fabricated sign of the informant. Learned counsel for the petitioner submits that the petitioner has never signed on the said application for getting electric connection. Lastly, it has been submitted that petitioner has no criminal antecedents.

5. On the other hand, learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for anticipatory bail of the petitioner. Learned counsel for the informant submits that the house in question belongs to the informant and he permitted his brother-in-law to reside in a room of the said house. Thereafter the petitioner applied electric connection by making forged signature on behalf of the informant which was proved by the C.I.D. The report of C.I.D. proves the said allegation is true. Learned counsel for the informant submits that in the year 1958, the informant and other persons were settled by Ram Kishun Das which belonged to the *Mahanth*. Learned counsel for the informant submits that the premises commonly



known as China Kothi.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Budha Colony P.S. Case No. 133 of 2022, he will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Patna, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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