

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66599 of 2024

Arising Out of PS. Case No.-3 Year-2024 Thana- GURUA District- Gaya

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Faijul Rahman @ Imamuddin S/o- Himaun Ansari @ Himayun Miyan
Resident of Village- Sungaris, P.S. Gurua, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Avinash Singh, Adv.

For the Opposite Party/s : Mr.Binod Kumar No.3, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 08-10-2024 Heard Mr. Avinash Singh, learned counsel for the

petitioner and Mr. Binod Kumar No.3, learned APP for the

State.

2. The petitioner apprehends his arrest in connection
with Gurua P.S. Case No. 03/ 2024 dated 03.01.2024 registered
for the offence(s) punishable under Section(s) 435, 447, 387,
506 of the Indian Penal Code and section(s) 25 read with section
27 of Arms Act.

3. The main submissions advanced by learned counsel
for the petitioner are that the allegation levelled in the F.I.R. are
totally false, the place of occurrence is said to be plot No. 128,
Khata No. 36 and the said land had been purchased by the
petitioner on 24.11.2023 vide registered sale deed No. 27130
from the land owner, so, in such a situation the informant's



claim as to his possession over the said land as well as his allegation as to setting his crop on fire by this petitioner is completely false and unbelievable and further, the alleged occurrence is said to have taken place on 15.12.2023 but the F.I.R was registered on 03.01.2024 after an inordinate delay of 18 days regarding which no explanation has been given. It is further submitted that the informant's allegation is completely vague as he has not disclosed the area of land upon which his paddy crop has been burnt by this petitioner and also has not disclosed the loss which has been caused to the informant due to the alleged mischief and in this regard, his allegation is also completely vague. It is further submitted that petitioner happens to be co-villager of the informant and he has fair and clean antecedent.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioner.

5. Considering the facts and circumstances of this case as well as the above submissions and mainly taking into account the inordinate delay of 18 days having taken place in lodging of the F.I.R. by the informant regarding which no explanation has been given and further petitioner has claimed to be a valid owner of the land in question regarding which



specific statement has been made in paragraph 8 of the petition and coupled with his fair and clean antecedent, in my opinion, in the said circumstances, the petitioner deserves to the privilege of anticipatory bail. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Gurua P.S. Case No. 03/ 2024 on furnishing bail bond of Rs. 20,000/-(Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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