

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67061 of 2024

Arising Out of PS. Case No.-693 Year-2024 Thana- SIWAN COMPLAINT CASE District-
Siwan

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Mustaque Alam Son of Wazir Hasan Resident Of Village- Balhan Ali
Mardanpur, PS- Bhagwanpur Hat, Distt.- Siwan Petitioner/s
Versus

1. The State of Bihar
2. Sheikh Dildar Son of Late Sheikh Anwar Resident of Village- Balhan Ali
Mardanpur, P.S.- Bhagwanpur Hat, Distt.- Siwan
... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 03-10-2024 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of complaint case no. 693 of 2024, disclosing offences
punishable under Section 420 and other allied sections of the
Indian Penal Code.
3. The prosecution story, as per the allegation made in
the complaint, is that the son of the complainant namely Ali
Imam administered some intoxicant to the complainant and took
his thumb impression on a blank paper and executed gift deed of
a piece of land/ house of the complainant.
4. Learned Counsel for the petitioner submits that
petitioner has been made accused merely because he is an



identifier in the deed of gift. He is not the beneficiary of the said deed of gift. Learned counsel further submits that the gift deed was executed on 25.01.2024, for which, photograph and impression of all 10 fingers are taken at the Registry Office.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that petitioner is only identifier in the deed of gift and not a beneficiary and the son of the complainant is the beneficiary, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-2nd class, Siwan in connection with complaint case no. 693 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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