

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73033 of 2024

Arising Out of PS. Case No.-1518 Year-2023 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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Md. Shabbir Ahmad @ Md. Shabbir Ansari, S/o- Late Md. Azimuddin,
Resident of Village- Sikarahatta Khurd, P.S. Sikarahatta, District- Bhojpur
... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Jahir Ansari Son of Salim Ansari Resident of Village- Sikarahatta
Khurd, P.S. Sikarahatta, District- Bhojpur
... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Kant, Advocate
For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 23-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Complaint Case No.1518C of 2023 instituted under
Section 406 of the Indian Penal Code.

3. As per the complaint case, the allegation against the
petitioner is that he had taken signature of informant and his
father on a non-judicial stamp paper for the purpose of survey
and, thereafter, by frivolous tactics, co-accused Alimuddin
Ansari executed a registered deed (Moharnama) of 14 *katha*
land property of the father of the complainant in the name of his
wife.

4. Learned counsel for the petitioner submits that



petitioner is innocent and has been falsely implicated in this case. He further submits that there is land dispute between the parties and the dispute is civil in nature. No case is made out against the petitioner who is full brother of co-accused Alimuddin Ansari whose bail has already been granted by learned court below. He further submits that petitioner has no criminal antecedent and he undertakes to co-operate in the trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned C.J.M, Bhojpur, Ara / Concerned Trial Court in connection with Complaint Case No.1518C of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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