

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73140 of 2023

Arising Out of PS. Case No.-148 Year-2023 Thana- FORBESGANJ District- Araria

Md. Shoaib @ Mohammad Shoaib Son Of Md. Manzoor Resident Of Village-
Mehan Harhangpur, P.S.- Badhoch Ghat, Dist.- Deoria (U.P.)

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :Mr.Ramesh Kumar Singh, Advocate

For the Opposite Party/s :Mr.Dr.Mrityunjaya Kr.Gautam, Addl Public Prosecutor
Mr. Sumit Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 01-05-2024 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offence punishable under sections 323, 406, 420, 467,471,120B and other allied sections of the Indian Penal Code.

3. As per the prosecution case, petitioner sold land of the company to some other person in connivance with Registrar of the Registry office, Forbesganj.

4. It is submitted on behalf of the petitioner that the bio-metric records shows that the company through its Manager (petitioner) has sold the land in question to one Md. Kafil. Computerized copy of memo of presentation of documents attached with the sale deed also shows that a single name of petitioner was there and there is no reference of the company.



Moreover, there is no allegation that the petitioner had any dishonest and fraudulent intention from the very beginning, as such, no criminal offence is made out against them.

5. Learned counsel for the State as well as the informant oppose the prayer for bail.

6. Considering the aforesaid facts of the case, prayer for bail of all the petitioners is allowed. In the event of arrest/surrender within six weeks from today, let these petitioners, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Araria in Forbisganj Police Station Case No. 148 of 2023, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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