

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73014 of 2023

Arising Out of PS. Case No.-719 Year-2022 Thana- ARARIA District- Araria

Md. Jalal Ahmad @ Jalal Ahmad Son Of Dil Mohammad R/O Village-
Safipur, Ward No.7, P.S. and District- Araria

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Md. Rahbar Alam, S/o Md. Abujama, R/o Vill. Safipur, Ward No. 4, PS
Jalalgarh, District Araria

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Nadimul Hasan, Advocate
For the State	:	Mr. Rajendra Singh, APP
For the OP-2	:	Mr. Naushaduzzoha, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 25-06-2024 Heard learned counsel for the petitioner, learned

A.P.P. for the State and learned counsel for opposite party no. 2.

2. The petitioner apprehends his arrest in a case registered for the offence under Sections 467, 468, 420/34 of the Indian Penal Code.

3. The case of the prosecution, in brief, is that this petitioner executed two sale-deeds in the year 2002 and 2003 in favour of the informant/O.P.-2 pertaining to Khata No. 497, Khesra No. 373, 277 of total 1 acre 27 decimals of land and since then, the informant is in peaceful possession of the land, but after lapse of 20-21 years, other co-accused persons, by showing some paper, claimed the said land to be their own land and thus, the petitioner cheated the informant.



4. Learned counsel for the petitioner submits that as per F.I.R., this petitioner sold his land in the year 2002 or 2003, but F.I.R. has been lodged after a delay of 20 years without any plausible explanation of delay. The dispute is basically of a civil nature. There is boundary dispute between the parties and as such, no case is made out against this petitioner. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant/O.P.-2 opposed the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances, in the event of arrest/surrender before the Court below within a period of six weeks from today, let the above named petitioner be enlarged 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 C.J.M., Araria in connection with Araria P.S. Case No. 719 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

anay

U		T	
---	--	---	--

