

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82294 of 2024

Arising Out of PS. Case No.-307 Year-2024 Thana- KISHANGANJ District- Kishanganj

Md. Imteyaz @ Imtiyaz S/o Md. Mustaqueem R/o vill - Line Masjid, P.O. -
Kishanganj, P.S. - Kishanganj, Distt.- Kishanganj, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Amar Anand, Adv.
For the Opposite Party/s :	Mr. Surendra Kumar, APP.
	Mr. Alexander Ashok, Adv.
	Mr. Jawed Akhtar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-12-2024 Heard learned counsel for the petitioner, learned A.P.P. for
the State and learned counsel for the informant.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 308(5), 126(2), 127(2), 115(2), 117(2), 109(1), 3(5) of the B.N.S. and Section 27 of the Arms Act.

3. The prosecution story, in brief, is that the informant had paid earnest money Rs. 51 lacs for one plot to co-accused Sunny Arya to execute the sale deed of the land in question, but subsequently co-accused Sunny Arya executed the registered sale deed in favour of one Puja Gupta instead of the informant and thereafter when the informant started demanding his money back, co-accused did not return the same and assaulted the



informant by means of deadly weapons in association of other co-accused and this petitioner.

4. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no offence. No such occurrence as alleged has ever taken place. He has falsely been implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. Nothing specific has been attributed against the petitioner rather there is specific overt act against co-accused Sunny Arya. There is admitted land dispute between the parties. The injury sustained by the injured was found simple in nature. It is further submitted that similarly situated co-accused, namely, Sunny Arya has been enlarged on bail by a co-ordinate bench of this court vide order dated 04.12.2024 passed in Cr. Misc. No. 82108 of 2024. Petitioner has one criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the informant opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, since similarly situated co-accused has been granted bail by a co-ordinate Bench of this Court, let the above named



petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Kishanganj P.S. Case No. 307 of 2024, subject to the condition as laid down under Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita, 2023.

(Anjani Kumar Sharan, J)

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