

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83724 of 2023

Arising Out of PS. Case No.-478 Year-2023 Thana- GHORASAHAN District- East
Champaran

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Mohammad Reyaz Son Of Mohammad Jumarati Mian R/O Village- Ghora
Sahan Bhagwanpur Kotwa, P.S.- Ghora Sahan, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar No.Iii

For the Opposite Party/s : Mr. Murlidhar, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered
for the offence punishable under Sections 406, 420/34 of the
Indian Penal Code.

3. As per allegation in the FIR, petitioner has taken
consideration amount of Rs. 11,00,000/- in several installments
from the informant regarding execution of a deed for land and
house but neither he had executed the deed nor he has returned his
money back. He has also threatened the informant of dire
consequences.

4. Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has been falsely implicated in this case. In fact, the



petitioner is a landless and poor person and he runs a fruit shop, for which he had taken loan of Rs. 1,10,000/- from the informant and he had returned Rs. 70,000/- to the informant and for rest of the amount i.e. Rs. 40,000/- the informant forcibly took his thumb impression on blank paper in order to grab his residential land and prepared forged document which is not tenable in the eye of law. This matter is purely a civil nature dispute. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Petitioner is languishing in judicial custody since 08.09.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-III, Sikrahna at Dhaka, East Champaran in connection with Ghora Sahan P.S. Case No.478 of 2023.

(Sunil Kumar Panwar, J)

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