

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59468 of 2025

Arising Out of PS. Case No.-199 Year-2025 Thana- KHAJEKALA District- Patna

1. Tarannum W/o Md. Hussain Imam R/O- Ladaura Dargah, PS- Kalyanpur, District- Samastipur
2. Irfan Hussain S/o Md. Hussain Imam R/O- Ladaura Dargah, PS- Kalyanpur, District- Samastipur
3. Md. Hussain Imam S/o Md. Hassan Imam R/O- Ladaura Dargah, PS- Kalyanpur, District- Samastipur

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Syed Asgher Najmi, Advocate
For the Opposite Party/s : Mr.Uday Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-09-2025 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offence punishable under sections 316(2), 318(4), 340(2), 336(3), 229(1)/3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, petitioners allegedly not paid stipulated rent to the trusty of the property and refused to vacate the rented shop. It is further alleged that these petitioners, in league with other accused persons, have created forged affidavit in the name of the informant's uncle.

4. It is submitted on behalf of the petitioners that



from perusal of the FIR it is clear that the shop in question is a Waqf property and the informant is only one of the managing trustee of the Waqf Estate. Dispute is with respect to non payent of rent and vacating the shop. There is provision under the Unified Waqf Management Empowerment Efficiency and Development Act for removal of encroachment from Waqf property after declaring him encroacher.

5. Considering the nature of accusation, prayer for bail of all the petitioners is allowed. In the event of arrest/surrender within eight 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 Additional Chief Judicial Magistrate I, Patna city in Khaejekalan Police Station Case No. 199 of 2025, subject to the conditions laid down under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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