

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69143 of 2025**

Arising Out of PS. Case No.-3 Year-2023 Thana- MASHRAK District- Saran

Naim @ Naim Akhtar S/o Late Nijamudin Ansari R/o Village- Mashrakh
Purab Tola, P.S.- Mashrakh (Mashrak), District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Adv
For the Opposite Party/s : Mr. Uday Pratap Singh, APP

**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER**

2 26-09-2025 1. Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with "Mashrakh (Mashrak)" P.S. Case no. 03 of 2023 registered
under Sections 420, 467, 468, 471, 120(B) of IPC.

3. The allegation of the first information report
arising out of a complaint is that a sale-deed was fraudulently
executed by the accused persons with respect to a land
belonging to the informant.

4. Learned counsel for the petitioner submits at the
outset that the present case arises out of a complaint filed by the
complainant, who has not made the present petitioner an
accused in the complaint or the FIR while naming 10 other



accused persons, and his name has only featured in the body of the complaint as the person who had identified as a witness on the said sale deed. It has further been submitted that there is a land dispute between the parties and a civil suit is going on. Further, the other co-accused person, namely, Dhiraj Kumar Singh, who is attributed an allegation of being the purchaser of the disputed land, has been granted anticipatory bail vide order dated 04.10.2024 passed by the Co-ordinate Bench of this Court in Cr. Misc. No. 62844/2024 (Annexure-P/2). The petitioner undertakes to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Taking into consideration the aforesaid facts and circumstances of the case and also considering the civil nature of dispute and the role of the petitioner being that of an attesting witness and further considering that the case of the petitioner is on a better footing than that of co-accused who has already been granted anticipatory bail by the Co-ordinate Bench of this Court, let the above named petitioner who has no criminal antecedent, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with "Mashrakh



(Mashrak)" P.S. Case no. 03 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM 7th (Additional Chief Judicial Magistrate 7th), Saran at Chapra, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

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