

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75908 of 2024

Arising Out of PS. Case No.-404 Year-2015 Thana- GAYA COMPLAINT CASE District-
Gaya

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Suresh Yadav @ Suresh Prasad Son of Dev Lal Yadav Resident of Village-
Agraili, P.S.- Chandauti, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Murad Ashraf, Adv.

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 14-02-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Complaint Case No. 404 of 2015 for the offence under Sections 419, 420, 467 and 468/34 of the I.P.C.

3. As per the case, the complainant alleged that her own sister Asharfi Khatoon sold the land to the complainant's brothers gifted by her father. Asharfi Khatoon falsely represented herself as Shakeela Bano and sold it to Saheena Parween. Accordingly the case.

4. Learned counsel for the petitioner submits that in a pure civil dispute, they have been implicated. Further, they had absolutely no knowledge of the case which resulted into inordinate delay. The last submission is that Saheena Parween



who alleged to have claimed herself as Shakeela Bano to execute the land has been extended relief in Cr. Misc. No. 67889 of 2024.

5. Learned APP on the other hand opposes the prayer though concede that others have been extended relief.

6. Considering the aforesaid facts as also that there is a family dispute relating to the land, the allegation is of the year 2003 for which the complaint came to be filed in the year 2015, others namely, Saheena Parween in Cr. Misc. No. 67889 of 2024 and Ashrafi Khatoon in Cr. Misc. No. 68863 of 2024 have been extended relief, learned counsel for the petitioner undertakes that he shall be diligently appearing in trial, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM IXth, Gaya in connection with Complaint Case No. 404 of 2015 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family



members/relatives of the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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