

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83893 of 2024

Arising Out of PS. Case No.-173 Year-2023 Thana- TRIVENIGANJ District- Supaul

Md. Abul Kalam @ Md. Abul Hasan Son of Md. Ayub Khan Resident of
Village - Baizanathpur, P.S. - Triveniganj, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra, Adv

For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 30-04-2025 Heard learned counsel for the petitioner, learned
counsel for the State.

2. Petitioner apprehends his arrest in connection with
Triveniganj P.S.Case No. 173 of 2023 registered for the offences
punishable under Sections 420, 467, 468, 471, 419, 406, 341
and 323 of the Indian Penal Code.

3. The prosecution case is based upon a complaint
filed by the complainant which was subsequently sent under
section 156 of the Cr.P.C for institution of an FIR and the same
was instituted. The allegation in the FIR/ complaint is that the
petitioner had manufactured false and fabricated documents
with regard to his date of birth for the purposes of contesting
Gram Panchayat Election.

4. Learned counsel for the petitioner submits that it



would be evident from the complaint petition itself, that the present complaint has been lodged by a person, who was contesting election as an adversary to the present petitioner and it is for that reason the present complaint came to be filed by him with oblique motives. It has further been submitted that petitioner had earlier also held the post of Mukhiya and had been discharging his duties with honesty and sincerity and it is due to political rivalry, the present complainant/ informant instituted the present case against the petitioner.

5. Learned APP for the State and learned counsel for the complainant oppose the bail application of the petitioner on the ground that petitioner is an accused in one other case in response to which, it has been submitted by the learned counsel for the petitioner that in the said case the police has submitted final form and hence as a matter of fact, there is no case pending against the petitioner.

7. Taking into consideration all the above mentioned facts and also considering that the case is entirely based on documentary evidence and custodial interrogation of the accused would not be necessary for completing the investigation, I am inclined to extend the privilege of anticipatory bail to the petitioner. Accordingly, in the event of his arrest/ surrender



within a period of four weeks from today the petitioners shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand)with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Supaul in Triveniganj Case No. 173 of 2023, subject to condition as laid down under Section 438(2) of the Cr.P.C and subject to the further condition that the petitioner shall co-operate in investigation/ trial.

(Soni Shrivastava, J)

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