

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.322 of 2025

Arising Out of PS. Case No.-37 Year-2024 Thana- BETTIAH CITY District- West
Champaran

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Nabiul Haque @ Nabibul Haque S/O Sanaullah Resident of Ganj No.- 1,
Bettiah, P.S- Bettiah Town, Dist.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Md Abu Haidar, Advocate
For the Opposite Party/s	:	Mr. Nitya Nand Tiwary, A.P.P.
For the Informant	:	Ms. Vagisha Pragya Vacaknavi, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-02-2025 Heard learned counsel for the petitioner, informant
and the State.

2. Petitioner apprehends arrest in a case registered for
the offences punishable under Sections 341, 387, 468, 506, 420,
120(B)/34 of the Indian Penal Code.

3. Prosecution case, in brief, is that on 18.11.23 at 2
PM, all the F.I.R. named accused persons including this
petitioner came on the land of informant and asked for his
mobile number from the guard and when he refused to do so,
the accused persons asked the guard to convey the message to
the informant to hand over the land in question to them at the
cost of Rs. 50 lacs. When informant enquired, she came to know
that the accused persons under a conspiracy, got the name of



Rasul Khan and Waliullah Khan entered in Jamabandi No. 129 of Register-II which was edited online on 14.10.23 by Anchal and on the basis of creation of Deed No. 10549 registered on 25.11.20 which was not found to be maintained in the office. Informant claims that above named accused persons in order to cause wrongful loss to the informant have got the land of informant mutated in the name of Khalil Mian online on 10.11.2023 on the basis of forged and fabricated documents with a view to grab the land of informant.

4. Learned counsel for the petitioner submits that the land in question was in the name of one Bibi Mariam, grandmother of the informant, who sold the land in favour of Rasul Khan and Waliullah Khan on 23.11.1925. It is further submitted that with passage of time, land was duly mutated and Jamabandi was created *vide* Mutation Case No. 297 of 1977-78. He further submits that land possession certificate has been issued in favour of the purchasers Rasul Khan and Waliullah Khan and petitioner is paying rent of the land in question till date. Lastly, he submits that informant himself has filed for cancellation of Jamabandi on 13.2.24. Moreover, dispute is of civil nature. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State as well as learned



counsel for the informant vehemently opposed the bail application.

6. Considering the backdrop of the case, nature of accusation and other facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bettiah Town Kalibagh P. S. Case No. 37 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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