

In the Court of District and Addl. Sessions Judge - II, Gopalganj

A.B.P. No. 1351/2026

1. Ashfaque Ahmad :----- Petitioner

V r s

The State of Bihar :-----Opposite party

Counsel for the petitioner :-----Sri Mustaque Azam, Advocate

Counsel for the O.P. :-----Sri Deobansh Giri, P. P.

<u>08-06-2026</u>	Order	Remarks
	Anticipatory bail petition filed on behalf of the above named petitioner, who is apprehending his arrest in connection with Gopalganj, P.S. Case No. 829/2024, registered U/s, 420, 406/34 IPC is put up for hearing. The prosecution story in brief is that above named petitioner along with other co-accused by misrepresenting ownership and possession over the land in question, registered the land in question in the name of informant and took an amount of Rs. Twenty Six lakh fifty eight thousand. Hence, the present F.I.R. Learned counsel appearing on behalf of the petitioner argued that the petitioner is innocent and has been falsely implicated in this case. Learned counsel further argued that the prosecution story is totally false, fabricated and concocted. Learned counsel further argued that the petitioner has antecedent of two cases. With these arguments learned counsel for the petitioner prayed for grant of anticipatory bail to the petitioner. Per contra, learned P.P. for the State argued that the offence alleged to have been committed by the petitioner is serious in nature, as such the petitioner is not entitled to grant anticipatory bail. Heard both the parties and perused the case diary. The allegation against the petitioner along with other co-accused is that by misrepresenting ownership and possession over the land in question, registered the land in question in the name of	

Contd. <u>08-06-2026</u>	informant. The specific allegation against the petitioner is that he has taken an amount of Rs. One lakh from the informant in the name of commission. On perusing the case record it is evident that the informant is widow and other co-accused took an amount of Rs. Twenty five lakh fifty eight thousand excluding the commission amount from the informant by claiming someone else's land as his own. During the course of hearing of the bail petitioner, Id counsel for the petitioner became ready and willing to return back the amount which has been taken by the petitioner from the informant i.e. one lakh rupees. <i>Considering the aforesaid submission and the facts and circumstances of the case, this bail application of the petitioner is disposed off with a direction that the petitioner shall return/pay the amount of Rs. One lakh to the informant within a period of one month from the date of passing of this order before the Id. Trial Court. However, if the petitioner fails to make the payment within the aforesaid period of one month, the bail of the petitioner shall be deemed to have been rejected without any further order.</i> On the basis of aforesaid facts and observations, the petitioner is directed to surrender and seek for regular bail within four weeks of the instant order before the Court below. At the time of surrender, the petitioner shall specifically give nature of his criminal antecedent. Therefore, the anticipatory bail filed by the petitioner is here by disposed off. (Dictated) (Kailash Joshi) A.S.J.-II	
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