

IN THE HIGH COURT OF JHARKHAND AT RANCHI
ABA No.5495 of 2025

Dr. Akhetar Sahil @ Akhtar Sahil, aged about 42 years, S/o Abdul Barik Ansari, R/o Sai Nurshing Home, Pandedih, Lal Bangalow, P.O. Mohuda, P.S. Mahuda, District Dhanbad (Jharkhand) 828305

.... Petitioner

Versus

The State of Jharkhand

... Opp. Party

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner : Mr. Shubham Gautam, Advocate
For the State : Mrs. Kumari Rashmi, A.P.P.

2/18.09.2025 Heard learned counsel appearing on behalf of Petitioner and learned counsel appearing on behalf of the State.

2. The petitioner is apprehending his arrest in connection with Mahuda P.S. Case No. 99 of 2025, registered for the offences under Sections 338, 336(3), and 318(4) of the Bharatiya Nyaya Sanhita, 2023, pending in the Court of learned J.M.F.C., Dhanbad.

3. Learned counsel appearing for the petitioner submits that the petitioner is the medical practitioner by profession and is running the clinic since 29.06.2006 under the name and style of Sai Nursing Home at Mahuda in the district of Dhanbad. He further submits that said building in question comprises of one floor with six rooms, situated over Khata No.4 (New Khata No.13) Plot No.226 (New Plot No.430), Mouza – Pandeydih (No. 346) admeasuring an area of 4.65 decimals. He then submits that the entire dispute is with regard to the said building and the allegations are made that the rent has not been paid. He also submits that for the said building, lease has been entered into between the petitioner and the father of the informant on 29.06.2006. He further submits that earlier one case has been lodged against the

petitioner and in that case the petitioner has been acquitted. He then submits that after the acquittal, the present case has been lodged. He next submits that one third person has also filed the Title Suit No. 320 of 2009 for the said building in question, which is pending in the Court of learned Civil Judge Senior Division III, Dhanbad.

4. Learned counsel appearing for the State submits that the allegations are there of not paying of the rent and the allegations are also there that the agreement has been made on the false stamped paper.

5. In view of that and considering that as it appears that due to none payment of the rent, the FIR has been registered, in the earlier case filed by the informant, the petitioner has been acquitted and thereafter the present case has been lodged. One third person has filed the Title Suit No.320 of 2009, which is pending before the learned Court, I am inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner above named is directed to surrender before the learned Court within three weeks from the date of receipt of the order and on the event of his surrender / arrest, he shall be released on bail on furnishing bail bond of Rs.25,000/- (Twenty-Five Thousand) with two sureties of the like amount of each to the satisfaction of learned J.M.F.C., Dhanbad, in connection with Mahuda P.S. Case No. 99 of 2025, subject to the condition as laid down under Section 482(2) of Bhartiya Nagarik Suraksha Sanhita, 2023.

7. This Anticipatory Bail Application is accordingly allowed and disposed of.

(Sanjay Kumar Dwivedi, J.)

18.09.2025
R.Kumar