

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21065 of 2015

Arising Out of PS.Case No. -333 Year- 2014 Thana -CHATOUNI District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Bibi Sarwari Begum wife of Haider Ali resident of Mohalla -
Khudanagar P.S. - Chhatauni District - East Champaran.
2. Arshad Kuraishi son of Md. Elias Kuraishi resident of Mohalla - Raja
Bazar, P.S. - Motihari Town, Dist.- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Anis Akhtar

For the Opposite Party/s : Mr. Veena Kumari Jaiswal (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 06-07-2015 Heard learned counsel for the petitioners as well as

learned Additional Public Prosecutor for the State and learned

counsel for the informant.

Petitioners apprehend their arrest in connection with

Chhatauni Police Station Case No. 333 of 2014 registered for the

offences punishable under Section 52(A) of the Wakf Act 1995.

The accusation against the petitioner no. 1 is that she

sold Wakf property to petitioner no. 2.

The contention on behalf of the petitioners is that the

petitioners had purchased the lands in question from one Mustari

Begum and the aforesaid Mustari Begum had purchased the land

in question from Md, Azam and Bibi Hasina therefore, the aforesaid fact clearly demonstrate that petitioner no. 2 was a bona fide purchaser.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioners, in the event of their arrest/surrender within four weeks from the date of receipt of this order to the court concerned, 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 Chief Judicial Magistrate, Motihari in Chhatauni Police Station Case No. 333 of 2014, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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