

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40379 of 2015

Arising Out of PS.Case No. -243 Year- 2014 Thana -SIWAN CITY District- SIWAN

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1. Aftab Alam
 2. Meraj Alam, both are sons of Abdul Qaiyum, residents of village - Tilsandhi Bhimpur, Police Station - Barharia, District – Siwan. At present residents of village -Narkatiya, Police Station - Nautan, District - Siwan.
 3. Qyamuddin Shah, S/o Noori Shah,
 4. Tufail Ahmad, S/o Late Md. Saeed,
 5. Mahtab Alam @ Mahtab Ali, S/o Murtaja Hussain. All Serial Nos. 3 to 5 are residents of village - Narkatiya, Police Station - Nautan, District - Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE V.N. SINHA
ORAL ORDER

2 08-10-2015 Heard learned counsel for the petitioners and the State.

Petitioners are apprehending their arrest in connection with a case registered for the offences under Sections 420, 467, 468, 471, 120-B/34 of the Penal Code, as it is said that petitioner nos. 1, 2 executed sale deed in favour of petitioner no. 3 over which petitioner nos. 4, 5 are the witnesses.

It is submitted on behalf of the petitioners that mother of petitioner nos. 1, 2 and the wife of informant are sisters. The lands in question has been inherited by petitioner nos. 1, 2 through their mother. Part of the same land also belongs to the

wife of informant and their appears to be a civil dispute over the title of the lands in question between petitioner nos. 1, 2, their mother on the one hand and the informant, his wife on the other.

Let petitioners, surrender in the court below within a period of four weeks from the date of receipt/ production of a copy of this order in the court below and apply for regular bail, which should be considered by the court below calling for the case diary. If the court below is satisfied from the materials collected during investigation that there is bonafide land dispute between petitioner nos. 1, 2, their mother and informant, his wife then the petitioners, named above, be released on bail on furnishing bail bonds of Rs. 5,000/-(Rs. Five Thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Siwan, in connection with Siwan P.S. Case No. 243/14, subject to the conditions laid down under Section 438(2) Cr.P.C., otherwise the court below shall pass appropriate order in accordance with law. Until verification is made, no coercive steps be taken against the petitioners.

The petition is, accordingly, disposed of.

(V.N. Sinha, J)

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