

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18842 of 2015

Arising Out of PS.Case No. -3 Year- 2015 Thana -DHAKA District- EAST
CHAMPARAN(MOTIHARI)

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1. Isha Mohammad Ansari S/o Late Amir Ansari,
 2. Samsuddin Ansari, S/o Late Amir Ansari
 3. Kamruddin Ansari, S/o Late Amir Ansari
 4. Sikandar Singh @ Sewindra Singh Son of Late Mishri Singh
 5. Chandeshwar Singh, S/o Late Mishri Singh
 6. Rukanti Devi, W/o Munna Singh,
 7. Manoj Singh, S/o Jay Karan Singh, All are Residents of Village - Rampur, P.S. - Chiraiya, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Umer Ansari, S/o Gaffar Ansari, Residence of Village - Rampur, P.S. - Chiraiya, District - East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.Iii, Adv.
For the Opposite Party/s : Mr. Anil Pd.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 02-07-2015 Heard both sides.

The petitioners except Petitioner no. 2 Samsuddin Ansari, whose case has been dismissed as withdrawn, apprehend their arrest in Dhaka P.S. Case No. 03/2015, registered for the offences punishable under Section 465 and other Sections of the Indian Penal Code.

The informant made allegation that the land measuring 3x3/4 dhur, Khata No. 594, Khesra no. 6959, Tauji no. 763 stands in the name of his grand father. The house of the informant is situated there but the accused persons on the basis of sale-deed executed by the

grand father of the informant on 20.06.1968 claimed to have purchased the land from Habib Mian, the grand father of the informant. Again the same land was sold to other accused.

Learned counsel for the petitioners submit that the land was sold on 20.06.1968 by the grand father of the informant. If there is any interpolation in the sale, the informant has already filed suit. It is submitted that the deed which was executed on 20.06.1968, Khesra no. 2183, Khata no. 594 measuring 9 dhurs was sold to Amir Mian by Habib Mian, the grand father of the informant. A suit is also pending and dispute is of civil nature.

Considering the facts aforesaid, the petitioners above named in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Sikrahana at Motihari, East Champaran in connection with Dhaka P.S. Case No. 03 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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