

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50910 of 2014

Arising Out of PS.Case No. -165 Year- 2014 Thana -VAISHALI District- VAISHALI(HAJIPUR)

1. Saiyad Md. Sultan Ahmad
2. Saiyad Md. Firoz Ahmad
3. Saiyad Md. Nasim Ahmad

All sons of Late Nasiruddin, Resident of Village - Pharpur, P.S + District-
Vaishali

.... Petitioner/s

Versus

1. The State of Bihar
2. Akbari Khatoon, D/o Late Md. Nasiruddin, wife of Shoeb Ahmad, at
present residing at Khudsar Green House, Masum Gali, Dargah Road, P.S.-
Sultanganj, District- Patna.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Chandra, Adv.
For the State : Mr. S.D.Singh Yadav(App)
For Opposite Party No.2 : Mr. Javed Aslam, Adv.

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

8 26-08-2015 Heard learned counsel for the petitioners and learned
counsel for the State.

By way of filing an application under section 438 of
the Code of Criminal Procedure, the petitioner seeks anticipatory
bail in connection with Vaishali P.S. Case No. 165 of 2014
registered for the offences punishable under sections 193, 198,
200, 420, 467, 468, 471 and 120-B read with 34 of the Indian
Penal Code.

It is contended that the petitioners happen to be
brothers of the informant. They are sufficiently aged people and
the dispute between the parties is civil in nature. Title Partition
Suit No.42 of 2015 is going on between the parties in respect of

the property in dispute. It is further contended that the case was initially registered as a complaint which was referred to the Police under section 156(3) of the Code of Criminal Procedure, pursuant to which the FIR has been registered and investigation has been taken up.

Learned counsel for the complainant has opposed the prayer for bail. He has submitted that on the basis of false affidavit the petitioners got the land of the complainant mutated in their favour.

Be that as it may, regard being had to the facts and circumstances of the case, in the event of arrest or surrender before the court below within six weeks from today, the petitioners named above are directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Vaishali P.S. Case No. 165 of 2014, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

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