

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50287 of 2015

Arising Out of PS.Case No. -546 Year- 2012 Thana -MADHEPURA COMPALINT CASE District-
MADHEPURA

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1. Md. Azeem son of Late Md. Ishaque
2. Md. Rabbul
3. Md. Motebil
4. Md. Sabbul
SI Nos. 2 to 4 sons of Md. Azeem null
5. Bibi Sabeena Khatoon wife of Md. Azeem
All resident of Village- Jhitkiya, Police Station- Singheshwar, District-
Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Md. Kayum son of Sheikh Fahim Marhum, resident of Village- Majarhat
Tola Jhitkiya, Police Station- Singheshwar, District- Madhepura.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Shamimul Hoda
For the Opposite Party/s : Mr. Arun Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 06-11-2015 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in connection with
Complaint Case No. 546/2012 for the offences punishable under
Sections 323 and 420/34 of the Indian Penal Code.

The accusation, spelt out, in the complaint lodged by the
complainant, in brief, is that petitioner no.1 sold the land to the
complainant but did not ear mark the land. The allegation is,
therefore, levelled under Sections 420 and 323 of the Indian Penal

Code.

It has been submitted that the land was sold to the complainant. He got the land mutated. Out and out it appears to be a case of civil nature. It has been given the color of criminal case.

Considering the aforesaid, this Court is inclined to extend the privilege of anticipatory bail to the petitioners. Let the petitioners, named above, in the event of their arrest/surrender before the learned court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Shri Sunil Kumar Singh-III, the learned J.M., 1st Class, Purnea, in Complaint Case No. 546 of 2012, subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Kishore Kumar Mandal, J)

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