

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32425 of 2015

Arising Out of PS.Case No. -352 Year- 2014 Thana -SUGAULI District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Sadre Alam @ Sadre Alam Khan S/o Tirantaj Khan Resident of Village Mansingha Tola Nakardei, P.S. Sugauli, District East Champaran.
 2. Aamir Khan @ Amir Khan S/o Ojjar Khan Resident of Village Dariapur, P.S. Sangrampur, District East Champaran.
 3. Md. Saifullah Khan @ Md. Saffullan Khan S/o Late Safi Ahmad Khan Resident of Village Nakardei, P.S. Sugauli, District East Champaran.
 4. Deoraj S/o Guari Shankar Prasad Resident of Civil Court Area, P.S. Motihari Town, District East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Alok Kumar @ Alok Kr Shahi

For the Opposite Party/s : Mr. Nawal Kishore Pd.(App)

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 18-08-2015 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection with a case registered for the offences punishable under Sections 447, 406, 420 of the Indian Penal Code.

Learned counsel for the petitioners submits that the present First Information Report has been occasioned making false allegation against the petitioner No. 1 that he executed a sale-deed in favour of one Jehangir Khan. Petitioner No. 2, 3 and 4 are said to have participated in the sale-deed by being either a witness or



having signed as identifier in the sale-deed. He submits that with regard to the aforementioned lands, though the informant is claiming that the said lands were allotted to the petitioner, the petitioner has brought on record a plaint of a suit in which it has been shown that the petitioner is one of the plaintiffs. Subsequently, the petitioner came to know that his name was wrongly included in the said plaint and he withdrew from the category of plaintiffs and, thereafter, the suit ultimately crumbled as the other plaintiffs also withdrew and the matter remained undecided.

Learned counsel for the petitioners submits that at best the present case can be one of civil dispute and if at all the informant has any grievance, he can get the sale-deed in question which has formed subject matter of the present First Information Report, repudiated in a court of appropriate jurisdiction.

Considering the nature of allegations made in the First Information Report and the history of dispute between the parties which is purely of civil nature, let the petitioners above named, in the event of their arrest / surrender within a period of three weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the each

amount to the satisfaction of the learned Additional Chief Judicial
Magistrate, East Champaran, Motihari, in connection with
Sugauli P.S. Case No. 352 of 2014 subject to the conditions as laid
down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J)

Saif/-

U		T	
---	--	---	--