

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14884 of 2016

Arising Out of PS.Case No. -863 Year- 2014 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

- =====
1. Madina Khatoon, wife of Zakir Hussain (wrongly mentioned as Zamir Hussain in Complaint petition)
 2. Mahboob Alam, son of late Mahanth Mian
Both resident of village Bhushaw, P.S. Thawe. District Gopalganj
- Petitioners

Versus

1. The State of Bihar
 2. Shamshul Hoda, son of late Sk. Idris, resident of village Bhushaw, P.S. Thawe, District Gopalganj
- Opposite Party/s
- =====

Appearance :

For the Petitioner/s : Mr. Mohammad Sufyan
For the Opposite Party/s : Mr. Bharat Bhushan (App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 05-05-2016 Heard learned counsel for the petitioners and the learned

Addl. Public Prosecutor, appearing on behalf of the State.

This application for grant of anticipatory bail arises out of Complaint Case No. 863/2014, Tr.No. 10970/2015, disclosing offences under sections 420, 467, 468 and 471 of the Indian Penal Code.

It is submitted on behalf of the petitioners that warrant of arrest has been issued and therefore, there is apprehension of their arrest.

It is alleged against them that they executed a sale deed with respect to land measuring 8 dhurs in favour of Md. Jamir and

Manir Alam, though the land did not belong to them.

Learned counsel for the petitioners has submitted that it is purely a civil dispute and no case under sections 420, 467, 468 or 471 of the I.P.C. is made out on the basis of allegations, as contained in the complaint petition.

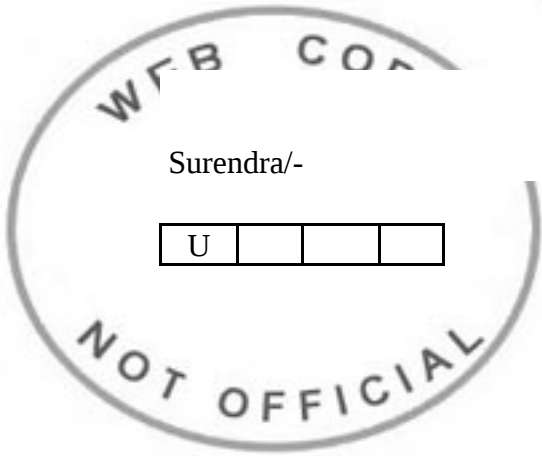
Learned counsel, appearing on behalf of the complainant, has opposed the prayer for anticipatory bail and has submitted that the petitioners executed the said sale deed knowing it well that the land in question did not belong to them.

However, considering the nature of dispute between the parties, this application is allowed.

Let the petitioners, abovenamed, in the event of their arrest/ surrender before the court below within six 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 the Chief Judicial Magistrate, Gopalganj in Complaint Case No. 863/2014, Tr.No. 10970/2015, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

This is subject to the condition that the petitioners shall present themselves before the police/ court, as the case may be, as and when required and in the event of failure on their part to appear before the court on two consecutive occasions, their bail

bonds shall be liable to be cancelled.



(Chakradhari Sharan Singh, J)