

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29695 of 2016

Arising Out of PS.Case No. -773 Year- 2015 Thana -BANKA District- BANKA

1. Md. Aslam Ansari
2. Md. Yakub Ansari. Both sons of Late Matin Ansari, Resident of Village/Mohalla- Bari Khangarpur, Police Station- Barari, District- Bhagalpur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Balram Kapri, Advocate
For the Informant : Mr. Baksi S. R. P. Sinha, Sr. Advocate
Mr. Brijnandan Prasad, Advocate

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 01-09-2016 Heard parties.

The petitioners apprehend their arrest in a case registered for offences punishable under Sections 420, 467, 468, 471 and 120B of the Indian Penal Code.

As per the allegation, on the basis of forged sale deed which is claimed to have been executed by the father of the informant in the year 1960, the concerned land was mutated in favour of the petitioner, whereas, the land actually belongs to the father of the informant who had transferred the same to his mother, who in turn, had gifted the land to her two sons including the informant.

It is contended on behalf of the petitioner that this is a civil dispute and one co-accused who happens to be the brother of the petitioner has already been granted anticipatory bail by a co-ordinate Bench of this Court vide Annexure 4.

However, learned counsel for the informant submits on the basis of affidavit filed on behalf of the informant that the certificate granted by the registering department casts serious doubt upon the genuineness of the concerned sale deed.

However, having regard to the facts and circumstances of the case, let the petitioners, namely, Md. Aslam and Md. Yakub Ansari be released on bail in the event of arrest/surrender before the court below within a period of six weeks from today in Banka (Barahat) P.S. Case No. 773 of 2015, on furnishing bail bond of Rs.10,000 (Ten Thousand Rupees) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Banka subject to the conditions as laid down under sub-section(2) of Section 438 of the Code of Criminal Procedure.

Sanjay-II/-

(Dr. Ravi Ranjan, J)

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