

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48747 of 2016

Arising Out of PS.Case No. -134 Year- 2016 Thana -LAHERIASARAI District- DARBHANGA

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1. Ozair Ahmad, s/o late Md. Naseem
 2. Anzar Ahmad @ Sabban, S/o Ozair Ahmad,
 3. Arman Ahmad, S/o Ozair Ahmad, all r/v Maniyarpur, P.S. – Waris Nagar, District- Samastipur. Presently residing at G/360/1, India Enclave Phase-2, Kirari, Suleman Nagar, Delhi-86

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Zeyaul Hoda

For the Opposite Party/s : Mr. Sri Jagdhar Prasad

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

3 20-12-2016 Heard both sides.

The petitioners apprehend their arrest in Laheria Sarai P.S. Case No. 134/2016, registered for the offences punishable under Sections 341, 323, 406, 420, 379 and other Sections of the Indian Penal Code.

Md. Tauhid, Advocate is the informant of the case and he made allegation that the petitioners took consideration money for executing sale deed with regard to RSP No. 15848 but they refused to execute the sale deed.

Learned counsel for the petitioners submits that the informant had earlier (on 08.01.2015) filed Complaint Case No. 49/2015 making same and similar allegation for receiving consideration amount and non-execution of the sale deed with



regard to the same plot i.e., 15848. The learned Magistrate found the case false against Ahmad and Arman Ahmad. Arman Ahmad has already been enlarged on bail. Thereafter, the present case was filed on 29.03.2016 making same and similar allegation and when the informant went to collect money, the accused persons assaulted Md. Tauhid with slaps.

Learned counsel for the informant as well as learned Additional P.P. opposed the prayer for bail, *but* it appears that the informant on the same and similar allegation filed Complaint Case No. 49/2015 and on the same allegation the FIR has been filed.

Considering the facts aforesaid, the petitioners above named in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged 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 learned Chief Judicial Magistrate, Darbhanga in connection with Laheriasarai P.S. Case No. 134/2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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