

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10690 of 2016

Arising Out of PS.Case No. -77 Year- 2015 Thana -GOPALGANJ CITY District- GOPALGANJ

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1. Sultan Mian Son of Late Nagina Mian, Resident of Village - Hasanpur Nawaka Tola, Police Station - Sidhwaliya.
 2. Aabid Hussain, Son of Late Sahid Mian, Resident of Village - Meera Tola, P.S. - Manjhagarh.
 3. Sugriv Manjhi, Son of Gati Manjhi, Resident of Village - Balra, P.S. - Sidhwaliya, All are District - Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. S.Ehteshamuddin(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-03-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 420, 406, 467, 471 and 120B of the Indian Penal Code.

The prosecution case is that the land of the informant was transferred by Md. Sakur in favour of petitioner no.1 whereas petitioner nos. 2 and 3 are the witnesses to the sale deed. The informant claims that one Faridan Dhobi was uncle of the informant as the father's name of informant was Majid Mian, the own brother of Faridan Dhobi. Majid Mian married with Bibi Samardiya but after death of Majid Mian, Bibi Samardiya married with Faridan Dhobi and Faridan Dhobi vide oral sale transferred

all land to sons of Majid Mian i.e., informant and his brother Jokhan Miyan, later on Jokhan Mian being the own brother of informant died issueless, hence the entire land devolved to informant. The sale deed with regard to the land of the informant was executed by Md. Sakur Mian, the maternal grand son of Faridan Dhobi in favour of petitioner no.1. Petitioner nos. 2 and 3 are the witnesses to the sale deed.

It is submitted by learned counsel for the petitioners that petitioner no.1 is the bona fide purchaser whereas petitioner nos. 2 and 3 are the witnesses to the sale deed. The thrust of accusation is against Md. Sakur who executed the sale deed. Moreover, in the background of civil nature of dispute, the accusation has been levelled.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Gopalganj in connection with Gopalganj (Town) P.S. Case No. 77 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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