

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52470 of 2015

Arising Out of PS.Case No. -62 Year- 2014 Thana -SRI NAGAR District- MADHEPURA

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1. Bibi Halima Khatoon, daughter of Late Jainul Aabdin, resident of village-
Puraini, P.S.- Srinagar, District- Madhepura.
 2. Bibi Jaibun Nisha, daughter of Late Jainul Aabdin, resident of village-
Puraini, P.S.- Srinagar, District- Madhepura, at present address- Bibi Jainul
W/o Late Sattour, Resident of village- Gokhlapur, P.S.- Narpatganj,
District- Araria.
 3. Md. Firoz Alam, Son of Late Mohdi Hasan, Resident of village- Puraini,
P.S.- Srinagar, District- Madhepura.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Pankaj Kumar Jha, Advocate.
For the Opposite Party : Mr. J.N.Thakur(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 19-02-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in connection with Srinagar P.S. Case No. 62 of 2014 for the offences instituted under Sections 420, 467, 468, 406, 379, 323, 504 and 120(B) of the IPC.

The prosecution story, in brief, is that on 20.06.2012 the informant/complainant got executed 08 decimal land from the petitioners on payment of consideration money of Rs.92,000/- and the details of the land is mentioned in the complaint petition. It has been further alleged that when the complainant/informant filed a



petition along with sale-deed before the Revenue Karamchari then the complainant/informant came to know that the petitioners have no right and title over the land mentioned in the sale-deed and when the complainant/informant contacted co-accused persons namely Mustafa and Pappu then they told the complainant/informant that this land has already sold out earlier by the ancestors of the petitioners. It has been further alleged that when a panchayat was held and it was decided in the panchayat that the petitioners be given time to return the money to the complainant/informant by March, 2014. It has been further alleged that on 19.07.2014 the petitioners called the complainant at the door of co-accused Mustafa to take money and when the complainant/informant went at the door of co-accused Mustafa then all the accused persons including the petitioners abused and assaulted to the complainant/informant and further co-accused Mustafa snatched H.M.T. wrist watch worth Rs.1,000/- and further co-accused Pappu snatched golden chain worth Rs.50,000/- from the neck of the complainant/informant.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. As per the complaint, the petitioners are said to have sold the land of the complainant for which they do not have a title. The sale deed was executed in the

year 2012 and the case was instituted on 19.07.2014. The delay has not been explained by the prosecution. The matter relates to civil nature.

On behalf of the State it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Srinagar P.S. Case No. 62/2014, corresponding to G.R. No. 2227/2014 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 C.J.M., Madhepura, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)