

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6258 of 2016

Arising Out of PS.Case No. -852 Year- 2015 Thana -PURNIA COMPLAINT CASE District-
PURNIA

- =====
1. Abdul Rahim Ansari son of Late Fatkan Ansari, R/o village- Islam Nagar, Madhopara, P.S.- K.Hat, District- Purnea.
 2. Md. Shamim Akhtar @ Shamim Akhtar son of Gaisool R/o Sabootar, P.S.- K. Nagar, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar
2. Md. Wasim Ansari, S/o Fatkan Ansari, Resident of Village Kharaiya P.S. Amour, District- Purnea.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan

For the Opposite Party/s : Mr. B.Ram(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 09-02-2016

Heard learned counsels for the petitioners

and the State.

The petitioners are apprehending their arrest in a complaint case wherein processes have been directed to be issued after cognizance being taken for the offences punishable under Section 420 of the Indian Penal Code.

The prosecution case is that in pursuance to decree passed in title suit Execution Case No. 05 of 2012 was initiated on the basis of a forged agreement to sell entered into between petitioner no. 1 and the complainant.

It is submitted by learned counsel for the

petitioners that agreement to sell was made by the complainant herself with petitioner no. 1, but subsequently the sale deed was not executed, hence, Title Suit No. 78 of 2011 was filed by petitioner no. 1. A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent. Moreover, the petitioner no. 1 is the own brother of the complainant.

Considering the accusation in the background of civil nature of dispute, 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 twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Judge-II –cum- Additional Chief Judicial Magistrate, Purnea in connection with Complaint Case No. 852 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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