

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30435 of 2016

Arising Out of PS.Case No. -44 Year- 2016 Thana -SHEIKHPURA COMPLAINT CASE District-SHEIKHPURA

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1. Md. Naushad Ansari, son of Late Sami Alam, resident of Village-Malikchak, P.S.-Barbigha, District-Sheikhpura
 2. Md. Sadam Shah, son of Md. Rizwan Shah, resident of Village-Malik Chak, P.S.-Barbigha, District-Sheikhpura

.... Petitioner/s

Versus

1. State of Bihar.
2. Md. Nasir Khan, son of Late Kabir Khan, resident of Village-Malikchak, P.S.- Barbigha, District-Sheikhpura

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan Sinha, Advocate

For the Opposite Party/s : Mr. Rajendra Singh Shastriji, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 02-09-2016 Heard learned counsel for the petitioners and the learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Complaint Case No.44C/2016 registered for the offence under Sections 120B, 420, 467, 468, 471, 323, 504/34 of the Indian Penal Code.

It is submitted on behalf of the petitioners that the petitioners are the *bona fide* purchasers of the lands, which were registered in their favour by accused Nos.1 and 3 of the complaint, bearing Case No.44C/2016, before the Chief Judicial Magistrate, Sheikhpura. It is further submitted that though they are the *bona fide* purchasers, on account of certain



differences between the complainant and the vendors of the present petitioners, the petitioners have been roped into the present case. Learned counsel further submits that earlier summons were issued in this case, of which they had no knowledge and thereafter, the petitioners are now facing further prosecution as NBW has been issued against them and, as such, they have been apprehending their arrest.

Learned counsel for the petitioners submits that as and when required, the petitioners shall present themselves before the court below and co-operate in the progress of the case and shall not abstain from the court for more than two consecutive dates without any reasonable cause.

Having considered the nature of disputes and the submissions advanced by the learned counsel for the petitioners and that the petitioners have no criminal antecedents, let both 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, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate 1st, Sheikhpura, in connection with

Complaint Case No.44C/2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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