

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27755 of 2016

Arising Out of PS.Case No. -16 Year- 2016 Thana -BIHARIGANJ District- MADHEPURA

=====

Md. Naushad, S/o Md. Asin @ Md. Yasin Molvi, Resident of village -
Hathiaundha, Police Station- Bihariganj, District – Madhepura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Sri Anil Kumar Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 12-07-2016 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner is accused in connection with Bihariganj
P.S. Case No. 16 of 2016 registered under Sections 419, 420, 471,
341, 323, 379, 504 and 506/34 of the Indian Penal Code.

The accusation is that petitioner approached the
informant Md. Nashim Akthar, to sale the land of 9 decimal of
Khatan No. 726, Khesra No. 430/3472, 10 decimal of Khata No. 68,
Khesra No. 430 showing that the said land was in his possession.
Thereafter, informant purchased the said land on payment of
9,40,000/- in the name of his wife Mirja Gajala Akthar. After
execution of the sale deed when the informant reached at the
aforesaid land then he found that the said land was in possession of

Md. Iftekhar not in possession of petitioner.

Learned counsel for the petitioner submits that the land of the petitioner was wrongly recorded in the name of certain persons, on which, the petitioner filed Suit No. 6797 of 1977, under Section 106 of the B.T. Act, which was allowed on 25.05.2007 in favour of the petitioner and the name of the petitioner mutated in revenue record and thereafter the petitioner executed the sale deed in favour of the informant. It is further submitted that petitioner has no criminal antecedent and he is in custody since 01.04.2016.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the J.M. Ist Class, Kishunganj, Madhepura, in connection with Bihariganj P.S. Case No. 16 of 2016. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

U		T	
---	--	---	--