

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10868 of 2017

Arising Out of PS.Case No. -351 Year- 2014 Thana -ARARIA District- ARARIA

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1. Md. Murshid Alam @ Murshid Alam, S/o Late Ashraf Ali,
2. Md. Naushad Alam, S/o Late Hasib,
3. Ishrar Alam @ Md. Israr Alam, S/o Md. Inamul,
4. Ajay Kumar Das, S/o Sri Prasad Das, All are resident of village -
Rampur, Tola Damhail, P.S. Araria, District - Araria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Naushad Uzzoha
For the Opposite Party/s : Mr. Sri Arun Kumar Pandey
For the State : Mr. Matloob Rab

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 24-03-2017

Heard learned counsel for the petitioners and learned
counsel representing the State.

Petitioners apprehend their arrest in connection with
Araria P.S.Case No. 351 of 2014 registered for the offences
punishable under sections 420, 467, 468, 471, 323, 504/34 of the
Indian Penal Code.

On the basis of Complaint petition, this case has been
registered and after completing investigation, final form was
submitted showing the land dispute, but differing with the
opinion of the investigating officer cognizance has been taken.

Submission is of false implication and that from bare



perusal of complaint petition, it reveals that the dispute is purely of civil nature and bonafide land dispute. The allegation as alleged is false and concocted. The petitioners have not made the husband of the complainant/ informant traceless and only with a view to give colour to this case all the allegations have been made. The husband of the informant in rightful ownership has executed the sale deed and as such petitioners having no criminal antecedent deserve sympathetic consideration.

Learned APP opposes the prayer of pre-arrest bail and fairly submitted that there is land dispute.

In the facts and circumstances stated above, the petitioners, above named, in case of their arrest or surrender within four weeks from the date of receipt/ production of a copy of this order, shall be released on bail on execution of bail bond 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-IV, Araria in connection with Araria P.S.Case No. 351 of 2014(G.R.No. 2095 of 2014), subject to the conditions as laid down under section 438(2) of the Cr.P.C

(Jitendra Mohan Sharma, J)

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