

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6891 of 2017

Arising Out of PS.Case No. -1818 Year- 2013 Thana -SAHARSA COMPLAINT CASE District-
SAHARSA

- =====
1. Md. Najmul Hoda @ Md. Najmul Huda
 2. Md. Badrud Doja @ Badrud Doja, both sons of Late Md. Nijamuddin
 3. Md. Ekbal Ahmad, son of Late Kamrul Hoda, all are resident of High School Road, Simri Bakhtiyarpur, P.S. Bakhtiyarpur, District- Saharsa

.... Petitioners

Versus

1. State of Bihar
2. Md. Nurullah, son of Md. Amanullah, resident of Bhathata Tola, Ranibagh, Bakhtiyarpur, P.S. Bakhtiyarpur, District- Saharsa

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mr. Nityanand

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-02-2017 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Complaint Case No. 1818 of 2013 for the offences instituted under Sections 420 and 471/34 of the Indian Penal Code.

The allegation against the accused persons including the petitioners is that the accused persons have got the sale deed executed by producing fake person, though the complainant purchased the land in question by the registered sale deed on 20.10.1976, after payment of consideration amount and when the



complainant approached the office of the Circle Officer, he came to know that the said piece of land did not execute the sale deed dated 26.10.1976 and 05.01.1978.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The land in question was purchased by the petitioners as back as in the year 1996 by raiyati holder. Subsequently, in respect to the said land, a sale deed was executed by the petitioners and others in favour of the complainant. At the time of mutation, the successors of the raiyati holder made objection that the petitioners had no title over the land in question. The matter relates to civil dispute.

On behalf of the State, it has been submitted that the petitioners are named in the Complaint case.

Considering the aforesaid facts and circumstances, let the petitioners above named be released on anticipatory 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 Complaint Case No. 1818 of 2013 on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of Sri Manish Kumar, Judicial Magistrate,



1st Class, Saharsa, subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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