

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9029 of 2017

Arising Out of PS.Case No. -768 Year- 2014 Thana -AURANGABAD COMPLAINT CASE
District- AURANGABAD

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1. Md. Asmuddin, son of Late Md. Safi
2. Shabana Khan, wife of Md. Asmuddin
Both are residents of Village - Darzi Bigha (Madanpur), P.S. - Madanpur,
District - Aurangabad. Presently residing at 24, Lock Gate Road, P.O. -
Cossipore, P.S. - Chitpore, Kolkata - (West Bengal) 700002.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Surendra Singh, son of Late Tapeswar Singh, resident of Village Chein
Mayabar, P.S. Salaiya (Madanpur), District - Aurangabad.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhanu Pratap Singh

For the Opposite Party/s : Mr. Sunil Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 19-06-2017 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a
case registered for the offences punishable under Sections 420 and
468 of the Indian Penal Code.

The complainant allegedly purchased the land
through registered sale deed executed by the petitioner no.1 Md.
Asmuddin on the basis of the power of attorney executed by the
petitioner no.2 Shabana Khan in favour of petitioner Md.
Asmuddin. Petitioner no.2 Shabana Khan is the wife of petitioner
no.1 Md. Asmuddin. The registered sale deed was executed in the
year 2011.



Learned counsel for the petitioners submits that the petitioners have enclosed the title deeds of the said land which was transferred in favour of the complainant and the entire allegation has been leveled after three years of execution of sale deed. The complainant was also duty bound to verify the title of the vendor prior to purchase of the land.

Considering the facts and circumstances of this case above, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.20,000/- (Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Aurangabad/Successor Court in connection with Complaint Case No.768 of 2014/Trial No.2029 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and subject to the further condition that petitioners shall fully cooperate with the investigation and trial of the case, failing which the Court below shall be at liberty to take steps for cancellation of the bail bonds of the petitioners in this case.

Arvind/-

(Birendra Kumar, J)

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