

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25483 of 2017

Arising Out of PS.Case No. -93 Year- 2014 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

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1. Tauhid Khan, Son of Late Nisar Khan, Resident of Village-Badyoga,
P.S.-Nokha, Distt-Rohtas.

2. Md. Naurej Khan, S/o Md. Hasan Khan, Resident of Village+P.O.-
Nahauna, P.s.-Sasaram Distt.-Rohtas.

.... Petitioner/s

Versus

The State of Bihar

Jalaluddin Khan, Son of Late Baddruddin Khan, Resident of Village-Kaithi,
P.O.-Konar, P.S.-Shivsagar, Distt. Rohtas

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suresh Mishra

For the Opposite Party/s : Mr. Smt. Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 06-07-2017

Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Complaint Case No. 93 of 2014, disclosing offences under
Sections 467 and 468 of the Indian Penal Code.

Learned counsel for the petitioners has submitted
the petitioners are innocent and has not committed any offence.
Admittedly, there is dispute between the parties with respect to a
piece of land but for the same, petitioners cannot be prosecuted
under a criminal charge as the entire dispute appears to be of
civil nature and for that several civil proceeding is pending



between the parties. Hence, the petitioners who are of clean antecedent, deserve the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioners, above named, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-V, Sasaram, Rohtas, in connection with Complaint Case No. 93 of 2014, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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