

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47250 of 2016

Arising Out of PS.Case No. -1185 Year- 2004 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

- =====
1. Md. Kalam son of Md. Basir
 2. Md. Basir@ Md. Basid son of late Md. Ashraf
 3. Md. Israil son of SK. Shafique All are resident of Vill-Kishandaspur,
P.S- Baddhuchak, District - Bhagalpur

.... Petitioner/s

Versus

1. State of Bihar
2. Md. Sakur son of Md. Kailu Resident of Vill- Bishanwaspur, P.S-
Buddhuchak, District-Bhagalpur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh

For the Opposite Party/s : Mr. Sri Sanjay Kumar Sharma

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

7 24-04-2017 Heard the learned counsel for the petitioners as well
as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Complaint Case No. 1185 C of 2004 for the offences punishable under sections 420 and 504 of the I.P.C.

Allegedly, the petitioners and other co-accused being in collusion and conspiracy filed Title Suit No. 296 of 2001 in the court of the Sub. Judge, Bhagalpur making false allegation that their father has not executed the sale deed and he is not alive and there is no trace for about 18 years and he is dead. Written



statement was filed but the accused person on oath gave false deposition and further abused the complainant and demanded Rs.50,000/- otherwise to kill him in the way.

Submission is of false implication and that nature of the dispute is purely civil, this complaint case has been filed with wrong allegations and facts, remedy lies in the civil court and as such the petitioners deserve sympathetic consideration. The opposite party no.2, inspite of service of notice, has not appeared.

The learned A.P.P. fairly submits that the dispute appears purely of civil nature.

In the facts and circumstances as stated above, the petitioners, 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 furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of. C.J.M. Bhagalpur in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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