

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51689 of 2017

Arising Out of PS.Case No. -2282 Year- 2016 Thana -WEST CHAMPARAN COMPLAINT
District- WESTCHAMPARAN(BETTIAH)

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1. Hasmuddin Ansari, S/o Late Amrullah Ansari,
2. Hasnain Ansari, S/o Late Amrullah Ansari.
3. Rahmtullah Ansari, S/o Late Amir Mian.
4. Jhakkad Ansari, S/o Kudarat Ansari, All Four are R/o Village- Semari Bhawanipur, P.S.- Nawalpur, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rajjak Mian, S/o Late Adalati Mian, R/o Village- Semari Bhawanipur, P.S.- Nawalpur, District- West Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Sakir Ahmad, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 08-11-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Complaint Case No. 2282/2016 instituted for the offence under Sections 420, 465, 468, 471, 120(B) of the Indian Penal Code.

It has been submitted by the learned counsel for the petitioners that petitioner no. 1 and petitioner 2 are vendors of the land in question. The complainant has alleged that the land measuring 01 Bigha 11 Kattha and 18 Dhurs was settled in favour of complainant's father in the year 1935 and 1945 and mutated in his name. on 30.08.2014 petitioner no. 1 executed sale deed with respect to 05 Kattha of land in favour of Bibi Ainul Nesha and



petitioner no. 2 also executed sale deed with respect of 05 Kattha of land in favour of Robina Khatoon. Petitioner no. 3 and petitioner no. 4 were the witnesses of the aforesaid sale deed. It is further submitted that Title suit no. 131/2016 has already been filed by the complainant on 01.08.2016 which is pending in the court of Sub-Judge, Bettiah, West Champaran. As such this is a matter of civil dispute.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners are allowed. In the event of surrender/arrest of the petitioners named above, within six weeks from today, in connection with Complaint Case No. 2282/2016, they shall be enlarged on anticipatory bail on furnishing 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 2nd, Bettiah, West Champaran, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions

(1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned,

(2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will



automatically cancel bail bond of the petitioners and

(3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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