

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54682 of 2016

Arising Out of PS.Case No. -41 Year- 2016 Thana -SHEIKHPURA COMPLAINT CASE District-
SHEIKHPURA

- =====
1. Saiyad Jamal Ahmad @ Jamal Ahmad, Son of Late Md. Wasim
 2. Praveen Fatma @Praveen Fatima, Daughter of Late Md. Wasim
Both residents of Santar Mistri Lane, Old Karimganj, P.S. Civil Lane
Gaya, District Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Saiyad Umardaraj, Son of Late Abbu Majaffar. Resident of Katnikal,
P.S. and District-Sheikhpura.

.... Opposite Party/s

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Appearance :

For the Petitioners : Mr. Pankaj Kumar, Advocate
For the S t a t e : Mr. Suresh Prasad Singh, APP
For Opposite Party No.2 : Mr. Abdul Manan, Advocate

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 10-01-2017 Heard learned counsel for the petitioners and the

learned counsel for the complainant (Opposite Party No.2) as

well as the learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in
connection with Complaint Case No.41C of 2016 for allegedly
having committed the offences under Sections 420, 467, 468,
469, 471/34 and 120B of the Indian Penal Code.

Learned counsel for the petitioners submits that there
is a *bona fide* civil dispute between the parties with regard to
the sale and purchase of the land. However, without moving the
court of competent jurisdiction, the complainant has chosen to



file the complaint case.

In view of the fact that the sale deed is also subject-matter of dispute in the title suit between the parties, as has been submitted by the learned counsel for Opposite Party No.2, let both the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of ₹10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Sheikhpura, in connection with Complaint Case No.41C of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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