

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12229 of 2017

Arising Out of PS.Case No. -540 Year- 2016 Thana -CHAPRA TOWN District- SARAN

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1. Hakim Jahir Hussain
2. Md. Moinuddin Hussain
3. Md. Muslim Hussain

All are sons of Late Ajij Hussain

4. Faiyaz Alam @ Munna, son of Md. Mainuddin Hussain
5. Md. Khusnur Alam @ Bablu, son of Md. Muslim Hussain

All are residents of Mohalla - Ratanpura, P.S. Bhagwan Bazar, Distt - Saran, Chapra.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh, Advocate.
For the Opposite Party/s : None.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 23-03-2017

Heard learned counsel for the petitioners.

Learned counsel for the State is not present.

The petitioners apprehend their arrest in Chhapra Nagar P.S. Case No. 540 of 2016 instituted for the offence under Sections 323, 406, 420, 120(B) and 34 of the Indian Penal Code.

There is allegation against the petitioners that they executed sale deed of 1 Kattha 10 Dhurs of land on 16.4.2016 in favour of accused Chetan Singha and Neeraj Kumar Singha which belongs to the informant.

It has been submitted that for similar dispute the petitioner No. 2 has filed a counter case against the informant and



others vide Bhagwan Bazar P.S. Case No. 297 of 2016.

It is mentioned in paragraphs 7 and 8 of the bail petition that total area of plot is 1 Bigha 3 Dhurs and the petitioners are cousin of the informant and they are also in peaceful possession over it since long.

In this manner, from the nature of dispute, it appears that it is a case of civil dispute and civil remedy is available to the informant.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Chapra Nagar P.S. Case No. 540 of 2016, they shall be released 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 learned Chief Judicial Magistrate, Saran at Chapra, subject to the conditions as laid down under Section 438 (2) Cr. P.C.

S.Ali/-

(Sanjay Priya, J)

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