

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16460 of 2017

Arising Out of PS.Case No. -9 Year- 2017 Thana -SIKTI District- ARRARIA

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1. Ruby Khatoon, Wife of Md. Shahabuddin,
 2. Md. Zabul.
 3. Md. Gyasuddin.
 4. Md. Ilyas.
 5. Md. Ashraf @ Guddu, All Sons of Md. Yakub,
 6. Sabila Khatoon, Wife of Md. Gyasuddin.
 7. Tabasum Ara, wife of Md. Ilyas.
 8. Ameroon Khatoon, Wife of Md. Zabul.
 9. Rizwan Khatoon @ Rizwana Khatoon, Wife of Md. Ashraf @ Guddu.
 10. Md. Nasim.
 11. Md. Naeem.
 12. Md. Fahim @ Md. Fahim Alam. All Sons of Md. Zabul.
 13. Md. Jamshed, Son of Md. Hanif, All are residents of Village Bokantari, P.S. Sikti, District- Araria.
 14. Md. Enamul Haque @ Enamul, Son of Late Md. Gafoor, Resident of Village- Latkharid, P.S. Sikti, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarendra Kumar Singh
For the Opposite Party/s : Mr. Sri Yogendra Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 05-07-2017 Heard both sides.

The petitioners apprehend their arrest in Sikti P.S. case No. 09 of 2017 under Section 313, 354 380, 384, 420, 467, 468 and other Sections of the Indian Penal Code.

The informant filed a complaint case No. 2199 of 2016 on the basis of which the present FIR was registered. The informant alleged in the complaint petition that accused persons



took her husband, Istaque, for executing a sale deed with regard to one decimal of land of different plots but the accused persons fraudulently got executed a sale deed with regard to eight decimals of land. A Panchayati was also held but the accused persons came, assaulted the informant and her family members and took away different articles from her house.

The learned counsel for the petitioners submits that the occurrence is of 06.02.2014 till 17.10.2016. There is a bonafide land dispute between the parties. Husband of the informant executed sale deed after taking entire consideration money but the informant lodged this false case making allegation that petitioners and others assaulted and committed theft in the house of informant. Md. Shahabuddin, accused No.1, has already been granted anticipatory bail vide order dated 07.04.2017 passed in Cr. Misc. No. 15136 of 2017. Petitioner No.1 is wife of Md. Shahabuddin and other petitioners are his family members. No specific allegation of assault is made against the petitioners.

Considering the facts aforesaid and the nature of allegations made against the petitioners, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, are directed to be



enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria in Sikti P.S. Case No. 09 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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