

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9624 of 2017

Arising Out of PS.Case No. -671 Year- 2016 Thana -NAWADA District- NAWADA

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1. Md. Jainul Kadri, aged about 45 years, son of Md. Rafique, resident of Village- Cheta Bigha, Mastanganj, P.S.- Akbarpur, Dist- Nawada, Bihar.
 2. Arshad, aged about 44 years, son of Hafiz Suleman, resident of Mohalla- Ansar Nagar, P.S.- Nawada, Dist- Nawada.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anjum Perveen

For the Opposite Party/s : Mr. Sri Rajballabh Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 08-03-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Nawada Town P.S. Case No. 671 of 2016 instituted for the offence under sections 406, 420, 506/34 of the Indian Penal Code.

It is alleged in the written report that these petitioners came to the house of the informant along with papers and showed him Khatiyani and receipt of the land and told that new owner of the land is Dependra Prasad Sinha and thereafter, agreement was prepared between informant and Dependra Prasad Sinha for sale of four katha land @ four lakhs rupees per katha. Thereafter, these petitioners put signature on the aforesaid agreement as the



witnesses.

During hearing of this bail petition, copy of the agreement was produced by the counsel of the informant. In the agreement, it appears that signature has been made by the Dependra Prasad Sinha and agreement has been entered into between Dependra Prasad Sinha and the informant. These petitioners have put the signature merely as a witnesses.

Submission of the informant is that Dependra Prasad Sinha has put the signature wrongly whereas the right owner of the land is Rajeev Ranjan @ Bharti. These are the disputed question of facts which can be only adjudicated in course of trial.

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 Nawada Town P.S. Case No. 671/2016, G.R. Case No. 3077/2016, 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, Nawada, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Sanjay Priya, J)

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