

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54094 of 2016

Arising Out of PS.Case No. -1187 Year- 2010 Thana -PURNIA COMPLAINT CASE District-
PURNIA

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Md. Reyasuddin, S/o Late Faquir, resident of village Manjhili, P.S.W. Baisi,
District- Purnea Petitioner

Versus

1. State of Bihar
 2. Md. Kasim, S/o Shafique, resident of Manjhaliya, P.S. Baisi, District-
Purnea Opposite Parties
- =====

Appearance :

For the Petitioner : Mr. Pramod Kumar Mallick, Advocate
For the Opposite Parties : Mr. Sri Arun Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 02-03-2017 Heard learned counsel for the petitioner, learned

counsel for the complainant and learned counsel representing the

State.

The petitioner apprehends his arrest in connection
with C.A. Case No. 1187 of 2010, registered for the offences
punishable under Sections 467, 468, 471, 420 and 406 of the
Indian Penal Code.

The complainant filed complaint petition making
allegation against Reyasuddin, Md. Mohsin and Md. Mustafa
which was sent to K. Hat P.S. for institution of case and after
completing investigation I.O. submitted final form and on the
basis of protest petition cognizance has been taken.

Submission is of false implication and that the wife
of Md. Mohsin, son of the petitioner is living with her husband so
the question of paying the Maihar amount does not arise, other



allegations as made in the protest complaint petition appears purely of civil nature, no criminal offence as alleged is made out and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for the complainant opposes the prayer of pre-arrest bail by submitting that the petitioner in collusion and conspiracy has knowingly and dishonestly cheated complainant and his sister Nikhat as the land which was sold earlier was sold to one Husan Ara and Md. Tahir.

In the facts and circumstances as stated above, considering the nature of dispute, the petitioner in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri R. V. Kumar, learned Judicial Magistrate 1st Class, Purnia, in connection with C.A. Case No. 1187 of 2010, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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