

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46476 of 2017

Arising Out of PS.Case No. -399 Year- 2016 Thana -WEST CHAMPARAN COMPLAINT District-
WESTCHAMPARAN(BETTIAH)

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1. Munna Alam son of Nathuni Mian Resident of Village - Sakraul, Police Station - Mainatand, District - West Champaran.
2. Sheikh Abdullah son of Sheikh Alam
3. Jahangir Mian son of Tabrak Mian
4. Alamgir Mian @ Alamgir son of Tabrak Mian All are residents of village - Langra, Police Station - Shikarpur, District - West Champaran.
5. Sobrati Mian son of Jokhan Mian Resident of Village - Sakraul, Police Station - Mainatand, District - West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Zulfikar Mian son of Amin Mian Resident of Village - Sakraul, Police Station - Mainatand, District - West Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Mr. Smt. Veena Kumari Jaiswal

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 22-09-2017 Heard both sides.

The petitioners apprehend their arrest in Complaint Case No. 399C of 2016 registered for the offences punishable under Sections 467 and 468 of the Indian Penal Code.

The petitioner no. 1 Munna Alam is purchaser from petitioner no. 3 Jahangir Mian and petitioner no. 4 Alamgir Mian @ Alamgir and petitioner no. 2 Sheikh Abdullah and petitioner no. 5 Sobrati Mian are identifier and witnesses of the sale deeds.

Learned counsel for the petitioners submits that Julfikar



Mian, the complainant is own uncle of Munna Alam, the purchaser of the land from Jahangir Mian and Alamgir Mian @ Alamgir. Jahangir Mian and Alamgir Mian @ Alamgir are sons of Rubaida Khatoon. Rubaida Khatoon is the daughter of Khalil Mian. Amin Mian, father of Julfikar Mian, purchased the land from Khalil Mian. Learned counsel for the petitioners further submits that Jahangir Mian and Alamgir Mian @ Alamgir also got share in the property of their maternal grand-father as their mother inherited the property from her father. There is no impersonation or fraud. The vendee will get nothing, if the vendors are not entitled to get any share in the property of Khalil Mian. The dispute is purely of civil nature.

Considering the facts aforesaid, 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, are directed to be enlarged on 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 4th Additional Chief Judicial Magistrate, Bettiah, West Champaran in Complaint Case No. 399C of 2016, 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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