

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4391 of 2018

Arising Out of PS.Case No. -678 Year- 2017 Thana -SIWAN CITY District- SIWAN

- =====
1. Md. Shamim Asghar @ Md. Shamim, S/o Md. Asghar,
 2. Md. Asghar, S/o Makhdoom Hassan, both resident of near Islamia High School, Purani Kila, P.S.-Siwan Town, Dist.-Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Prabhakar Singh, Advocate

For the Opposite Party/s : Mr. Nand Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 27-02-2018

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **Siwan Town**
P.S. Case No.678 of 2017 instituted for the offence under
Section(s) 420, 467, 468, 506/34 Indian Penal Code.

It is alleged in the First Information Report that a plot was purchased by the informant from the petitioner in the year 1992. He had been given possession over the same. Mutation of the aforesaid land was done in favour of the informant. It is alleged that informant was made to understand that he has purchased plot no.4353, but deliberately petitioner at the time of execution of sale deed mentioned the land falling in plot no.4363.

Counsel for the petitioners has submitted that informant is coming in possession of the aforesaid land after



execution of the sale deed in 1992. He also got land mutated in his name. The informant was having greedy eyes on the land having plot no.4353. When the petitioners started negotiation for sale of the aforesaid land with others, instant case has been filed.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with **Siwan Town P.S. Case No.678 of 2017**, 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 the **Chief Judicial Magistrate, Siwan**, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions: (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bonds and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

JA/-

U		T	
---	--	---	--

