

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1444 of 2018

Arising Out of PS.Case No. -607 Year- 2015 Thana -COMPLAINT CASE District- SUPAUL

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1. Md. Naim,
2. Md. Harun,
3. Md. Mahiuddin,
All Sons of Late Abdul Rauf,
4. Md. Dilsad Alam, Son of Ahsan,
All are resident of Village- Bela Terha, Police Station- Kishanpur, District-
Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bibi Sadrun Nisha, wife of Late Yunus, resident of Village- Bela Terha,
Police Station- Kishanpur, District- Supaul.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun, Advocate.

For the Opposite Party/s : Mr. Satyendra Narayan Singh, a.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 03-04-2018 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in **Complaint**
Case No. 607C of 2015 (Reg No. Cr Comp (P) 593 of 2015,
instituted for the offence under Sections 120B, 467 and 468 of the
Indian Penal Code.

It is alleged in the complaint petition that petitioner
Nos. 1, 2 and 3 with conspiracy filed mutation application of 38
decimal of land which was running in the name of husband of the
complainant. He got mutation with the help of Halka Karamchari



namely, Pradeep Sah on the basis of false *Panchnama* of partition. It is further alleged that petitioner No. 4 and other co-accused persons had helped petitioner Nos. 1, 2 and 3 in preparing false *Panchnama* of Partition.

Learned counsel for the petitioners has submitted that other co-accused persons have been granted anticipatory bail by a coordinate Bench of this Court vide order dated 24.04.2017 passed in Cr. Misc. 54798 of 2016.

Learned counsel for the opposite party No. 2 has appeared and opposed the prayer for anticipatory bail of the petitioner.

From the nature of allegation it appears that it is a matter of purely civil dispute.

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 **Complaint Case No. 607C of 2015 (Reg No. Cr. Comp (P)/593/2015**, 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 Sub Divisional Judicial Magistrate, Supaul**, 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 bond 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)

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