

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25368 of 2018

Arising Out of PS.Case No. -1840 Year- 2017 Thana -PURNIA COMPLAINT CASE District-
PURNIA

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1. Bibi Sahnaz @ Sahnaz Begum, wife of Nazir Nawina
2. Md Muzahid, son of Late Iqbal Both resident of Village- Toli, P.S.
Dagarua, District- Purnea.
3. Md. Mustaque Alam @ Mustaque Alam @ Mustaque, son of Late
Jamaluddin, Resident of Village- Kochaili, P.S.- Dagarua, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Md. Rihan @ Md Rehan Gani, son of Late Gulam Muatafa, resident of
Village- Dubba, Police Station- Dagarua, District- Purnea.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Sri Narendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 18-08-2018 Heard learned counsel for the petitioners, the informant
as well as the State.

The petitioners apprehend their arrest in Complaint
Case No. 1840/2017, instituted for the offences punishable under
Sections 406, 420, 323 and 379 of the Indian Penal Code.

From the complaint petition itself, it appears that sale
deed has already been executed in favour of the complainant for the
land as mentioned in the complaint petition. In the complaint
petition, it is also mentioned that the complainant got pillar fixed on
the aforesaid land after purchasing and started cultivating the same.
It is also mentioned in the complaint petition that the dispute
occurred between the parties after Panchayati.



Learned counsel for the petitioners has submitted that this is a matter of civil dispute.

Considering the facts and circumstances of the case, the 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. 1840/2017, 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 learned Chief Judicial Magistrate, Purnea, subject to the conditions as laid down under Section 438(2) of the 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 absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners 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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