

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3254 of 2018

Arising Out of PS. Case No.-52 Year-2017 Thana- DIGHALBANK District- Kishanganj

Shamim Akhtar S/o Akmal Hussain, R/o Village- Dogirja, P.S.- Dighalbank,
District- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjesh Kumar Singh

For the Opposite Party/s : Mr. SRI RAM BILASH ROY RAMAN

**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL**

ORAL ORDER

2 17-01-2018 Heard both sides.

Prayer is for grant of anticipatory bail in Dighalbank P.S.

Case No. 52 of 2017 registered under sections 420, 467, 468,
471, 419 and 34 of the Indian Penal Code.

The informant claims to have purchased the land in the name of his wife from Om Prakash Jaiswal which was in his cultivating possession. However, the sale deed was executed much after in the year 2016 whereas the petitioner is claimed to have purchased the land from Om Prakash Jaiswal while he was alive. Om Prakash Jaiswal died on 31.5.2005. Learned counsel submits that from a bare reading of the F.I.R., it appears that the dispute is essentially civil in nature. Considering the same, another purchaser of the land from Om Prakash Jaiswal namely



co-accused Narendra Mudra @ Narendra Mundra has since been granted privilege of anticipatory bail vide order dated 29.11.2017 passed in Cr. Misc. No. 55731 of 2017.

Let the petitioner abovenamed be released on bail in the event of his arrest or surrender in the Court below within four weeks from today on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Kishanganj in Dighal Bank P.S. Case No. 52 of 2017 subject to the condition laid down under section 438(2) of Cr.P.C. with further condition that one of the bailors shall be own/close family member of the petitioner.

(Kishore Kumar Mandal, J)

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