

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10389 of 2018

Arising Out of PS.Case No. -868 Year- 2017 Thana -NAWADA District- NAWADA

- =====
1. Md. Aslam, s/o late Md. Siddik,
 2. Md. Ainul, s/o Md. Aslam, both R/o Mohalla- Mirdahtoli Par Nawadah,
P.S. and District- Nawadah.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 27-02-2018

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **Nawadah P.S.**

Case No.868 of 2017 instituted for the offence under Section(s)
420, 467, 468, 471/34 Indian Penal Code.

Counsel for the petitioners has submitted that it is a
matter of purely civil dispute.

It is alleged in the written report that the informant
and petitioner no.1 have jointly purchased the land through
different sale deeds measuring 96 decimals and with consent of
both the parties informant was allotted 22½ decimal land. The
informant learnt on 26.07.2017 that petitioner no.1 has sold the
land of Khata no.12 plot no.231 area 22½ decimals through
registered sale deed to Anant Kumar Singh and others. On the
sale deed, he put forged signature of the informant and all the



four sons of petitioner no.1 have become identifier and witnesses.

In this manner, from the nature of allegation in the written report, civil remedy is available to the informant.

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 **Nawadah P.S. Case No.868 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, Nawadah**, 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)

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