

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52523 of 2018

Arising Out of PS.Case No. -181 Year- 2018 Thana -KOILWAR District- BHOJPUR

- =====
1. Md. Salim Ansari @ Dahari @ Md. Saleem, S/o Late Md. Islam,
 2. Kanija Khatoon, W/o Md. Salim Ansari @ Dahari
 3. Md. Nashim,
 4. Md. Shamim,
 5. Md. Azad @ Md. Azad Ansari,
 6. Md. Saddam @ Md. Saddam Ansari. 3 to 6 are S/o Md. Salim Ansari @ Dahari.
 7. Wahid Ansari, S/o Shahid Ansari, All 1 to 7 are R/o Kayam Nagar, P.S.- Koilwar, District- Bhojpur.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioners : Mr. Hari Mohan Tripathi, Advocate.
For the Opposite Party : Mr. Ashok Kumar Singh 1, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-09-2018 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 341, 323, 420, 120(B) and 504/34 of the IPC.

The prosecution story, in brief, is that the informant's father-in-law has got the land purchased bearing Khata No. 116, Khesra No. 2405, Area 15.5 Dismll on his name in the year 1977. The daughter of Md. Islam, namely, Johara Begum, had been married to the informant. In the partition, the wife of the informant



has got 3 Dismal of land share, Saira Begum who was the elder sister of the informant's wife had given the *Hibba* in favour of the wife of the informant of her share 3 Dismal, therefore, the wife of the informant has got 6 Dismal land and the informant is possessing the land peacefully, but by way of putting pressure, the accused persons have got a deed executed in favour of Kaniya Khatoon for the area 1.9375 Dismal of land. After getting the information regarding the same, the informant brought the copy from the Registrar's Office and then tried to get lodged the FIR but even after sending of the application to the S.P. concerned no case has been registered. Hence, the complaint case has been filed.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The petitioners and the informant are agnates. There is property dispute between them. The matter relates to a civil dispute

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let



the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M. Ara at Bhojpur, in connection with Koilwar P.S. Case No. 181 of 2018, arising out of Complaint Case No. 545C/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

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

(Sudhir Singh, J)

