

Criminal Miscellaneous No.11727 of 2018

1. Bibi Khurram Nisa @ Bibi Kusum @ Khushrun Nisa, Wife of Md. Haidar Imam,
2. Md. Haidar Imam, Son of Mabudhauda Ansari,
3. Md. Hali Ansari, son of Md. Haidar Imam, All resident of Village + P.O. Chordargah, P.S. Ariari, District Sheikhpura.

... .. Petitioner/s

... ..¹ Petitioner/s

Versus

1. The State of Bihar.
2. Ramsanehi Sharma, Son of Late Meghan Thakur, Resident of Village Sohdi, P.S. Ariari, District- Sheikhpura. Opposite Party/s

.. ... Opposite Party/s

For the Petitioner/s : Mr. Devendra Prasad Singh, Adv
For the Opposite Party/s : Mr. Sri Damodar Prasad Tiwary, APP

For the Opposite Party/s : Mr. Sri Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 26-11-2018

Heard learned counsel for the petitioners and

learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 323,341,379,420,406,504 and 417/34 of the Indian Penal Code.

The complaint based allegation would reveal that the dispute is regarding non-performance of an agreement to sale between the parties. Allegation is that the petitioners demanded more money, at the time of registration, than agreed, whereas contention of the petitioners is that the petitioners have already sold two bighas of land in pursuance of the agreement on agreed rate of the complainant and now the complainant wants to grab the entire land of the petitioners.



Learned counsel for the complainant opposed the prayer for anticipatory bail.

Considering the nature of dispute and availability of civil remedy to the complainant, in my view, this is a fit case for grant of anticipatory bail.

Let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Complaint Case No. 06(C) of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further the petitioners shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

(Birendra Kumar, J)

Nitesh/-

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

