

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20820 of 2018

Arising Out of PS.Case No. -415 Year- 2017 Thana -SARAIYA District- MUZAFFARPUR

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1. Md. Nasir @ Nasir Mian, S/o Hamid Mian,
2. Gulzar Mian @ Md. Gulzar, S/o Late Jalil Mian,
3. Hamid Mian S/o Late Soni Mian,
All R/o Village- Udaypur, P.S.- Saraiya, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nachiketa Jha

For the Opposite Party/s : Mr. Sri Sanjay Kumar Sharma

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 03-05-2018 Heard learned counsel for the petitioners and learned
counsel for the informant.

Petitioners apprehend arrest in connection with Saraiya
P.S. Case No.415 of 2017 registered for the offences under
Sections 419, 420, 467, 468, 469, 471 and 34 of the Indian Penal
Code.

The allegation as per the written report is that the
petitioner no.3 being recorded tenant executed a sale deed with
respect to 41 decimals of land out of 82 decimals in favour of his
three sons and thereby he cheated the informant and other co-
sharers.

It has been submitted that the petitioner no.3 has already



filed a complaint case against the husband of the informant as he voluntarily received the compensation amount with respect to the land acquired for Hajipur–Sugauli Rail Line. The allegation of cheating is omnibus. The learned counsel submits that for redressal of dispute between the parties, a Partition Suit No.1169 of 2016 has been filed which is pending in the Court of Sub-Judge I, Muzaffarpur.

The learned counsel for the informant opposed the submission.

Considering the facts and circumstances of the case, the prayer for anticipatory bail is allowed and the above named petitioners, in the event of arrest or surrender before the learned court below within six weeks from today, are directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the likewise amount each to the satisfaction of learned A.C.J.M. 1st (West), Muzaffarpur in connection with Saraiya P.S. Case No.415 of 2017 subject to the conditions as laid down under Section 438(2) of Cr.P.C.

(Sanjay Kumar, J)

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