

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3254 of 2019

Arising Out of PS. Case No.-730 Year-2018 Thana- BANKA District- Banka

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1. Mobarak Hussain s/o Late Asad Ali @ Late Sheikh Ashad Ali Resident of Village - Arakatta, Police Station Barhat , District- Banka.
 2. Obeduallah Sawood s/o Mobarak Hussain Resident of Village - Arakatta, Police Station Barhat , District- Banka.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar
For the Opposite Party/s : Mr.Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 24-01-2019 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners seek bail in Banka (Barahat) P.S. Case No. 730/2018, instituted for offences under Section(s) 420, 120(B), 467, 468 and 34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that there is land dispute between the parties. Petitioner no. 2 has filed Title Suit No. 40/2018 before Munsif, Banka in which informant is defendant.

The complainant has alleged in the complaint that on the date of occurrence he was digging his land then petitioner no. 1 arrived and told that the land belongs to his son (petitioner no. 2). Thereafter, informant told petitioner no. 1 that he had not



sold the land to anyone. The informant went to Anchal Office and found petitioner no. 1 has been able to get rent receipts issued in his name after bringing the Karmchari in his collusion.

Learned counsel for the petitioner has submitted that it is a matter of land dispute for which civil remedy is available.

Petitioners are in custody since 04.11.2018.

Considering the aforesaid facts and circumstances, prayer of the petitioners for grant of bail is allowed. Let the petitioners, above named, be released on 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 learned **Chief Judicial Magistrate, Banka** in connection with **Banka (Barahat) P.S. Case No. 730/2018**, subject to the conditions that both the bailors shall be the close relative of the petitioners.

(Sanjay Priya, J)

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