

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6822 of 2019

Arising Out of PS. Case No.-574 Year-2018 Thana- COMPLAINT CASE District- Araria

1. Md. Quasim @ Quasim, Son of Late Abdul Aziz, Resident of Village- Chakardaha. P.s. - Narpatjanj, Dist- Arariya
2. Galib Raja @ Md. Galib Raja, Son of Md. Quasim, Resident of Village- Chakardaha, P.S. - Narpatganj, Dist- Arariya.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Praqdip Kr. Mandal, Son of Gulab Chand Mandal, At present Resident of Village- Chakardaha, P.S.- Narpatganj, Distt.- Araria. Permanent Address- Village- Kabaiya, P.O.- Bhatgama.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 24-07-2019 This is an application for grant of anticipatory bail in connection with Complaint Case No. 574-C of 2018, disclosing offences under Sections 420 & 406 of IPC.

From the order dated 07.02.2019 petitioners were directed to seek instructions whether the petitioners were willing to return back the consideration amount, which they were said to have received from the complainant in respect of the land in question.

However, learned counsel for the petitioners has submitted that allegation against the petitioners is that he sold the land, vide sale deed dated 23.11.2015 and thereafter, it has come to the notice of the complainant that earlier the land has been sold to some other persons and however, out of that he has earlier sold the land to some other persons. Thereafter, in the year 2015, a sale deed has been



executed in favour of the complainant and got it mutated and now after three years, he is coming with a plea that the land has been sold in favour of some other persons.

Heard learned A.P.P. as well as learned counsel for the opposite party no.2 also, they have opposed the prayer for anticipatory bail on the ground that when the opposite party no.2 went for measurement of the land, then he came to know about the same, as he was objected by one Ali Hussain.

Having heard both sides, considering the above submissions, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of Sri Ashish Ranjan, learned Judicial Magistrate, 1st Class, Araria, in connection with Complaint Case No. 574-C of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

Sunil Shukla/-

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(Vinod Kumar Sinha, J)

