

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6953 of 2019

Arising Out of PS. Case No.-1906 Year-2017 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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1. Md. Nisar @ Nisar Alam @ M. Nisar @ Md. Nisar Alam, aged about 24 years, Gender-M, Son of Md. Samad
 2. Md. Samad, aged about 52 years, Gender-Male, Son of Late Md. Muslim, both are Resident of Village - Ninga Pashchim Tola, P.S.-Barauni, District-Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Nasim, aged about 40 years, Gender-Male, Son of Late Md. Sharif, Resident of Village - Ninga Pashchim Tola, P.S.-Barauni, District-Begusarai.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar
For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 07-02-2019 Heard learned counsels for the petitioners and State.

The petitioners are apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 420, 467, 468 and 471/34 of the IPC.

The prosecution case, as per the complaint petition, is to the effect that earlier the petitioners made an attempt to kill the informant, leading to registration of Barauni P.S. Case No. 453 of 2015, for the offences punishable under Section 307 of the IPC. In order to get the alibi of land dispute, the petitioners filed an application for getting the mutation with regard to the land of



the complainant done by forging the signature of the complainant. The said petition was ultimately rejected.

It is submitted by learned counsel for the petitioner that materials on record suggest that the complainant was present when the application was being filed. Moreover, the application for doing the mutation, was rejected by the Circle Officer and said order is amenable to challenge before the appellate authority.

Learned counsel for the complainant submits that by forging the complainant's signature, the petitioners filed an application for getting the mutation of the land of the complainant done.

Considering the accusation in the background of dispute with regard to mutation of the land in question, and the order passed in the Mutation case is amenable and the fact that accusation has been levelled in the background of litigated relationship between the parties, let the above named petitioners be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to satisfaction of ACJM-IV, Begusarai in connection with Complaint



Case No. 1906C of 2017, subject to the condition as laid down
under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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