

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10619 of 2019

Arising Out of PS. Case No.-627 Year-2018 Thana- BANJARIA District- East Champaran

1. Md. Matin, Son of- Late Nurul Haque
2. Nazana Khatoon @ Najma Khatoon Wife of-Abdul Matin @ Mohd. Matin
3. Md. Naseem, Son of- Md. Matin, all Resident of Village, and Post -Siswa,
P.S. Banjaria, District East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Krishna
For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-02-2019 Heard learned counsels for the petitioners and the

State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 420, 467 and 468/34 of the IPC.

The prosecution case, as per the written report of Md. Muneer, dated 23.09.2018, submitted to the Station House Officer, Turkauliya (Banjaria) Police Station, is to the effect that the informant is residing on his ancestral property. On 20.09.2018, the informant came to know that his share of land, appertaining to Thana No. 115, Khata No. 124, Plot NO. 3734,



total measuring an area of 16 dhurs, situated at Mauza Siswa, Thana Banjaria, has been gifted by petitioner no.1 in favour of his wife, petitioner no.2, Najma Khatoon. It is alleged against petitioner no.3, Md. Naseem that he is the witness to the alleged gift deed.

Learned counsel for the petitioners submits that the petitioner no.1 inherited the property from his father. The informant is the cousin brother of the petitioner no.1. It is further submitted that for redressal of the civil nature of dispute, the informant has lodged the criminal case.

Learned APP submits that thrust of accusation is against the petitioners.

Considering the nature of accusation being arising out of share dispute, coupled with the statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, 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 the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Turkauliya (Banjaria) P.S. Case No. 627 of



2018, 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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