

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10495 of 2019

Arising Out of PS. Case No.-2268 Year-2014 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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Birjis Jehan @ Bibi Birjis Jehan, Wife of Abdul Qaish, Resident of Village -
Ibrahimpur, P.S-Sabour, Dist.-Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Najimuddin Son of Azimuddin Resident of Village - Ibrahimpur, P.S.-
Sabour, Dist.-Bhagalpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Najmul Hodda
For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 25-06-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of opposite party No.2.

Petitioner apprehends his arrest in connection with
Complaint Case No.2268 of 2014 for the offence punishable under
Sections 420, 467, 120(B)/34 of the Indian Penal Code.

Allegation in the complaint against the petitioner is that
she along with other co-accused had entered into an agreement for
sale with other accused persons for sale of a piece of land
belonging to the complainant. Subsequently, power of attorney was
given to co-accused persons by the petitioner. The complainant
further stated that he is the owner of 43 decimal of land out of
which there was an agreement with other co-accused for sale of 20
decimal of land.

Learned counsel for the petitioner submits that both the



parties are related to each other and are cousin and there is a land dispute between the parties. He further submits that co-accused has been granted anticipatory bail by learned Court below itself.

Learned counsel for the Opposite party vehemently opposes the prayer for bail and submits that the petitioner along with other accused persons had entered into a conspiracy to grab the land belonging to the complainant.

Taking into consideration the facts and circumstances and the matter on record, I am inclined to grant anticipatory bail to the petitioner on the ground that there appears to be a land dispute between the accused persons and the complainant inasmuch as both the parties are related to each other. Accordingly, the petitioner is directed to surrender before the learned Court below within a period of four weeks and in the event of surrender by the petitioner, the petitioner shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-XI, Bhagalpur, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

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(Anil Kumar Sinha, J)

