

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.14254 of 2019**

Arising Out of PS. Case No.-787 Year-2018 Thana- BANKA District- Banka \*

- 
1. MUBARAK HUSSAIN @ MOBARAK HUSSAIN AND ANR Son of Late Ashad Ali R/o village- Arkatta, P.S- Barahat, Distt.- Banka
  2. Obedullah Saud @ Obeduiiah Saud Son of Mubarak Hussain @ Mobarak Hussain R/o village- Arkatta, P.S- Barahat, Distt.- 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.Chandra Sen Prasad Singh

---

**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**

ORAL ORDER

2      14-03-2019                      Heard the parties.

The petitioners seek bail in Banka (Barahat) P.S.Case No.787/18 registered under Sections 420, 467, 468, 471, 472, 120(B) of the I.P.C.

The informant has alleged in his written complaint that he is a purchaser by a registered deed from the petitioner after paying the consideration with respect to 18 decimals and 80 decimals of land after making the payment of Rs.5/-lacs. On 20.11.2018 when they went for mutation of the aforesaid land in their favour then they came to know that the aforesaid 18 decimals land belonged to some other persons and the purchased 80 decimals of land was gairmajarua, as such, the



same cannot be mutated in favour of the parties.

It has been submitted on behalf of the petitioners that he had title and possession of the land which they sold to the complainant and the nature of allegation even assumed to be true is of civil nature and no criminal offence is made out. They are in custody since 8.12.2018.

Considering the facts and circumstances of the case, as stated above, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of C.J.M., Banka, in Banka (Barahat) P.S. Case No.787/18 subject to the conditions that (i) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned. (ii) petitioner/s shall co-operate in the trial and shall be represented on each and every date fixed by the court. (iii) if the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner/s.

**(S. Kumar, J)**

aks/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

