

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20607 of 2019

Arising Out of PS. Case No.-1726 Year-2016 Thana- COMPLAINT CASE District- Araria

1. Martoz Alam @ Martoz Son of Late Rasul, Resident of Village - Patharabari, P.S.- Jokihat, Distt.- Araria.
2. Md. Aboosama Son of SK Jamilludin, Resident of Village - Bhobhara, P.S.- Jokihat, Distt.- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Nayeem s/o Tamijuddin, Resident of Village - Pathraha, P.S.- Jokihat, Distt.- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha
For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 03-04-2019 Heard both sides.

The petitioners apprehend their arrest in Complaint Case No.1726C of 2016 for the offences allegedly committed by the petitioners under Sections 420, 467, 468, 471, 341, 323, 504 and 34 of the Indian Penal Code.

The complainant alleged that he purchased land from Most. Nasima, but later on it transpires that Most. Nasima in collusion with witness no.1 sold the land in the year 1963.

Learned counsel for the petitioners submits that the petitioners are witnesses of sale deed. They had no knowledge about the facts that Most. Nasima had earlier sold her land to



someone else.

Having considered the facts that the petitioners are witnesses of sale deed executed by Most. Nasima in favour of complainant and there is nothing on record to show that the petitioners have any knowledge about the fact that Most. Nasima had earlier sold the same piece of land by a registered sale deed, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Araria in connection with Complaint Case No.1726C of 2016, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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