

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48522 of 2019

Arising Out of PS. Case No.-281 Year-2016 Thana- COMPLAINT CASE District-
Kishanganj

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1. Salimuddin, Son of Late Karimuddin, Resident of Dudhauti, P.S-Thakurganj, District-Kishanganj.
 2. Hafiz, Son of Salimuddin, Resident of Dudhauti, P.S-Thakurganj, District-Kishanganj.
 3. Abid, Son of Salimuddin, Resident of Dudhauti, P.S-Thakurganj, District-Kishanganj.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Nurul Islam, Son of Alimuddin, Resident of Village-Dangi Basti, P.S-Pothiya, District-Kishanganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Sinha

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 05-08-2019 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Complaint Case No. C281 of 2016, registered under Sections 323, 420 and 504/34 of the Indian Penal Code.

The accusation is that when complainant-opposite party no.2 was ploughing his field then Ajij, Hafiz (petitioner no.2), Abid (petitioner no.3), Sajeed and Sartaj came there and stopped to plough the field saying that Salimuddin (petitioner



no.1) has wrongly executed the sale deed, as he has no right to execute the sale deed because late Kasimuddin, father of Salumuddin, died prior to the death of their mother Tajun @ Lathi Khui. According to Muslim Farayazhe, Salumuddin has no share in the land. Thereafter, complainant-opposite party no.2 went at the house of Salimuddin (petitioner no.1) and inquired about the aforesaid facts then he clearly told that he cheated Rs.2,36,000/- from him. Thereafter, all accused persons named in the complaint petition started to assault the complainant.

Learned counsel for the petitioners submits that petitioner no.1 is father of petitioner nos. 2 and 3 and they have falsely been implicated in this case, in fact, after death of Tajun @ Lathi Khui, father of petitioner no. 1 came into possession of his share and petitioners and Sartaz sold their own shares but with ulterior motive the present case has been lodged with false allegation and petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like



amount each to the satisfaction of the oearned Chief Judicial
Magistrate, Kishanganj, in connection with Complaint Case No.
C281 of 2016, subject to the condition as laid down under
Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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