

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55079 of 2019

Arising Out of PS. Case No.-241 Year-2019 Thana- COMPLAINT CASE District- Jamui

1. MD. AARIF @ MD. AARIF KASAIYA Son of Md. Ali Hussain Resident of Village - Neema Pang, Ward No. 27, P.S. and Distt - Jamui.
2. Md. Samad Miyan Son Hanif Miyan Resident of Village - Neema Pang, Ward No. 27, P.S. and Distt - Jamui.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR.
2. Md. Kaiyum Ansari Son of Jumrati Miya Resident of Village - Nim Nawada Tola Hathiya Pathar, P.S.- Khaira, Distt - Jamui.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha
For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 02-09-2019 Petitioners seek bail in anticipation of their arrest in connection with Complaint Case No. 241C of 2019, registered for the offences punishable under Sections 406, 420, 417, 323/34 of the Indian Penal Code.

As per complaint petition allegation against petitioners that complainant got the land registered on consideration of Rs.14, 20,000/- and thereafter the complainant came to know that the same land has been sold to the other person and when he approached the petitioners about the same they assaulted him.

Submission of the learned counsel for the petitioners



is that petitioner No. 2 is only witness of the sale deed. So far as petitioner No.1 is concerned he has been falsely implicated in this case as complainant wants to get some more land instead of the lands sold to the complainant.

Heard learned A.P.P. also.

Having heard both sides. So far as petitioner no.1 is concerned, in view of the allegation, I am not inclined to grant privilege of anticipatory bail to him, however, he is directed to surrender before the learned Court below and make prayer for regular bail and Court below will consider the matter on its own merit without being prejudiced by order of this court and if possibly be disposed of at the same day.

So far as petitioner No.2 is concerned, in the event of her arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Sri M.K. Pandey, J.M. 1st class, Jamui, in connection with Complaint Case No. 241C of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. and further condition is that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the Court concerned.



Accordingly, the present application stands disposed
of with above direction.

(Vinod Kumar Sinha, J)

T.Kr./-

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