

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81665 of 2019

Arising Out of PS. Case No.-57 Year-2019 Thana- SAHARSA District- Saharsa

MD. JIYAUUL KHAN @ MD. JIYAULL KHAN Son of Md. Israil Rayeen
Resident of Village - Saharsa tola, Gangjala, ward no. 15, P.S.- Saharsa,
District - Saharsa.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Aslam Ansari

For the Opposite Party/s : Mr.Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 17-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Saharsa Sadar P.S. Case No. 57 of 2019 registered for the
offence punishable under sections 406, 420, 467, 468, 384, 504,
506 and 34 of the Indian Penal Code.

As per allegation made in the F.I.R., it is stated by the
informant that pursuant to a partition in the family, the land in
question have fallen in his share and the same was illegally sold
by a registered sale deed by the named accused persons in
favour of the petitioner.

It is submitted by learned counsel for the petitioner



that from reading of the FIR, it would clearly be evident that the same is purely a civil dispute relating to title over the property in question and in any case of the matter, the petitioner is the vendee in the said title deed and not the vendor.

Having heard learned counsel for the parties, taking into consideration, the nature of allegations relating to property and the petitioner having no criminal antecedent, he is directed to surrender in the court below within a period of six weeks from today and in the event of his arrest or surrender, he shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa in connection with Saharsa Sadar P.S. Case No. 57 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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