

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12150 of 2020

Arising Out of PS. Case No.-1401 Year-2016 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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Shaikh Ishaque @ Isha Hak Son of Late Shaikh Aabid Resident of Village -
Jokar, P.S.- Pranpur, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Musowir, Adv.

For the Opposite Party/s : Mr. Pancha Nand Pandit, Adv.

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 07-07-2020 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with C.A. Case No.1401 of 2016, registered under sections 420, 406, 467, 468 and 34 of the Indian Penal Code.

As per allegation in the complaint, it is stated by the complainant that she purchased a piece of land for valuable consideration from the petitioner and one another. However, it subsequently transpired that besides the two vendors, other brother and sisters of the petitioner also had a share in the said property and as such the complainant was not able to get possession over the said property nor was the land was being transferred in her name.

It is submitted by learned counsel for the petitioner that the allegation as levelled in the complaint is false. The petitioner



and his bother have sold the land which fell in their share. The case is one of purely civil in nature. The petitioner has no criminal antecedent.

The application for bail is opposed by learned counsel for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegation, the Court is inclined to enlarge the petitioner on anticipatory bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with C.A. Case No.1401 of 2016, he will be enlarged on bail on furnishing bail bond of Rs 10,000.- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st, Katihar, District Katihar, subject to the conditions as laid down in section 438 (2) of the Criminal Procedure Code.

(Partha Sarthy, J)

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