

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76537 of 2019

Arising Out of PS. Case No.-88 Year-2019 Thana- THAKURGANJ District- Kishanganj

1. Ijharul Haque, S/o Late Ismail, R/o village-Behbul Dangi, P.S.- Thakurganj, District-Kishanganj, presently residing at village-Nengraduba, P.S.- Galgalia, District- Kishanganj.
2. Md. Jahagir @ Jahangir, S/o Sahbud, Resident of village- Nengraduba, P.S.- Galgalia, District- Kishanganj

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Mukesh Kumar Jha, Advocate

For the Opposite Party : Mr. Ansar Ul Haque, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

4 22-06-2020 Heard learned counsel for the petitioners and learned counsel for the State via video conferencing.

By way of the present application, the petitioners have sought for pre-arrest bail in connection with Thakurganj P.S. Case No.88 of 2019 registered for the offences punishable under Sections 406, 420, 504 and 506 read with 34 of the Indian Penal Code.

It is submitted by the learned counsel for the petitioners that the petitioner no.1 had never entered into an agreement for sale rather the alleged agreement is a forged and fabricated document, which has been created by the informant to grab the land of the petitioner. He contended that even



otherwise the case is essentially a dispute of civil nature and has maliciously been given a colour of criminal case.

Learned counsel for the State has opposed the application for grant of pre-arrest bail to the petitioners.

Considering the facts and circumstances of the case, since the offence is per-dominantly of a civil nature, the petitioners are directed to be released on bail in the event of arrest or surrender in the court below 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 Chief Judicial Magistrate, Kishanganj in connection with Thakurganj P.S. Case No.88 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

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