

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84150 of 2019**

Arising Out of PS. Case No.-344 Year-2018 Thana- BAHADURGANJ District- Kishanganj

1. MD. ASFAQUE Son of Late Saifuddin, Resident of Village - Baisa, P.S.- Bahadurganj, Distt -Kishanganj.
2. Md. Afsar @ Md. Afisar Alam Son of Late Saifuddin, Resident of Village - Baisa, , P.S.- Bahadurganj, Distt - Kishanganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Hakimuddin Son of Late Late Ramjan Ali, Resident of Village - Baisa Gopalganj Tola Janigach, P.S.- Bahadurganj, Distt - Kishanganj.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amal Kumar Sinha
For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 17-06-2020 Heard both sides through Video Conferencing.

The petitioners apprehend their arrest in Bahadurganj P.S. Case No.344 of 2018 registered under Sections 341, 323, 419, 420, 467, 468, 471, 120B, 504, 506 and 34 of the Indian Penal Code.

The informant filed complaint petition on the basis of the which the present F.I.R. was registered. The informant alleged that his father and uncle got the disputed land. His uncle died issueless but the accused persons including the petitioners purchased the land from Kalimuddin, who claimed himself to be the son of Mohammadin (uncle of the informant).



Learned counsel for the petitioners submits that the dispute is of civil nature. The petitioners are purchasers from Kalimuddin. If Kalimuddin is not the son of the uncle of the informant, the petitioners would not get any title over the land even after purchasing the same through registered sale deed. It is further submitted that no criminal offence is made out.

Having considered the facts and the nature of allegations made against the petitioners, the petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Kishanganj in connection with Bahadurganj P.S. Case No.344 of 2018, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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