

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30030 of 2021

Arising Out of PS. Case No.-20 Year-2021 Thana- KADWA District- Katihar

1. Md. Hasib Son Of Late Safiruddin R/O Village- Sahjana, P.S.- Kadwa, District- Katihar.
2. Md. Neyaz @ Neyaz Alam Son Of Late Suleman R/O Village- Sahjana, P.S.- Kadwa, District- Katihar.
3. Najma Khatoon Wife Of Md. Neyaz @ Neyaz Alam R/O Village- Sahjana, P.S.- Kadwa, District- Katihar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-02-2022 This matter has been taken up for hearing online because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioners and learned APP for the State.

Learned counsel for the petitioners is expected to honour his undertaking to remove the defects as pointed out by the office when called upon to do so by the office.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Kadwa P.S. Case no. 20 of 2021 instituted for the offence under Sections 420 and 120B of the Indian Penal Code.

The prosecution case in short is that informant is the legal owner of the land in question as described in FIR on the



basis of registered sale deed. The accused persons including the petitioners fraudulently obtained forged papers and occupied the land forcibly.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. There is bonafide land dispute between the parties and it is civil nature dispute. It has been submitted that petitioner nos. 2 and 3 are the purchasers prior to purchase by the informant dated 10.8.2016 and the vendors of the informant never raised any question about purchase of land by the petitioners. There is inordinate delay in lodging the FIR by the informant.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Kadwa P.S. Case no. 20 of 2021, they 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 learned CJM, Katihar subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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