

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4533 of 2023

Arising Out of PS. Case No.-41 Year-2022 Thana- PURNIA COMPLAINT CASE District-
Purnia

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1. JIYAUUR RAHMAN @ ZIAUR RAHMAN S/o Altaf Hussain R/o Village- Shripur Mallah Tola (Dangraha), P.S.- Baisi, Distt- Purnea.
 2. Mostt Salma @ Salma Khatoon W/o Altaf Hussain R/o Village- Shripur Mallah Tola (Dangraha), P.S.- Baisi, Distt- Purnea.
 3. Mahtab @ Mahtabuddin S/o Late Kalimuddin R/o Village- Shripur Mallah Tola (Dangraha), P.S.- Baisi, Distt- Purnea.
 4. Salam @ Abdus Salam S/o Abdus Rahman R/o Village- Shripur Mallah Tola (Dangraha), P.S.- Baisi, Distt- Purnea.
 5. Mannan @ Abdul Mannan S/o Abdur Rahim R/o Village- Shripur Mallah Tola (Dangraha), P.S.- Baisi, Distt- Purnea.

... .. Petitioners.

Versus

1. The State of Bihar
2. Md. Mustafa S/o Late Yunus R/o Village- Shripur Mallah Tola (Dangraha), P.S.- Baisi, Distt- Purnea.

... .. Opposite Parties.

Appearance :

For the Petitioners	:	Mr. Bipin Kumar
For the O.P. No.2	:	Md. Fazle Karim
For the State	:	Mr. Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 31-07-2023 Heard learned counsel for the petitioners and learned

A.P.P. for the State assisted by learned counsel for the opposite

party no.2.

2. The petitioners apprehend their arrest in a case

registered for the offences punishable under Sections 465, 468,

504 and 506/34 of the Indian Penal Code.

3. The allegation against the petitioners is that

they manufactured a forged sale deed of the land of the



complainant and claimed that the said land has been purchased by Most. Salma Khatoon from Abdus Salam but in the *khatiyan* the said land is in the name of the father of the complainant.

4. It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to land dispute. Petitioners have purchased the said land from vendor Abdus Salam and vendee, namely, Most. Salma Khatoon. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State assisted by learned counsel for the opposite party no.2 vehemently opposing the prayer for bail submitted that these petitioners in furtherance of their common intention claimed the land of the complainant on the basis of forged sale deed and succeeded to mutate the alleged land in the name of petitioner no.2.

6. Having regard to the facts and circumstances of the case as also the fact that the dispute *inter se* is land dispute which is civil in nature, let the above named petitioners, be released on bail, in the event of their arrest or surrender before



the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with C.A. Case No.41 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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