

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40746 of 2023**

Arising Out of PS. Case No.-188 Year-2022 Thana- KHAGARIA COMPALINT CASE
District- Khagaria

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MD. JIYAUDDIN S/O LATE MD. HAMID RESIDENT OF VILLAGE-
NAYA TOLA, HARIPUR, P.S. ALAULI, DISTT. KHAGARIA

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. MD. RAHMAN UDDIN @ ABDUL RAHMAN S/O LATE MD. HAMID
RESIDENT OF VILLAGE- NAYA TOLA, HARIPUR, PS. ALAULI, DIST.
KHAGARIA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate
For the Opposite Party/s : Mr. Umanath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-08-2023 1. Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 468
and 418 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent.

4. The informant alleges that he along with his
brother purchased land as detailed in the complaint petition
on 26.08.1996 from his cousin whose name, he does not
recollect, it is next alleged that his brother (petitioner



herein) sold the land to different purchasers.

5. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that petitioner and the complainant are own brothers and from perusal of the allegation as alleged in the complaint petition, it would manifest that the dispute is purely civil and in the event if the complainant is aggrieved by the act of the petitioner, in that event he has remedies available in law in getting the sale deed executed by his brother cancelled by a Court of competent jurisdiction.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in



connection with Complaint Case No. 188C of 2022 subject
to the conditions as laid down under Section 438 (2) of the
Cr.P.C.

Rishabh/- **(Satyavrat Verma, J)**

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