

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49260 of 2023

Arising Out of PS. Case No.-437 Year-2022 Thana- KALYANPUR District- Samastipur

1. Kamrul Zama Khan @ Kamruljama Khan @ Kamrul Zama Son Of Mujibur Rahman Resident Of Village- Govindpur Khajuri, Po And Ps- Kalyanpur, Distt- Samastipur, Bihar
2. Samse Alam Khan @ Phool Babu Son Of Mujibur Rahman Resident Of Village- Govindpur Khajuri, Po And Ps- Kalyanpur, Distt- Samastipur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhigyan Kumar
For the Opposite Party/s : Mr.Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-08-2023 Heard learned counsel for the petitioners and the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 406, 420 and 34 of the Indian Penal Code.

3. As per the prosecution case, petitioners had executed registered sale deed in favour of one Nanki Sah in the year 2014 for a piece of land having area 3 Katha 16 Dhurs, but till date petitioners had not given possession of the said land to him.

4. It is submitted that petitioners have already handed over the land and possession to Nanki Sah at the time of sale



deed and till date no suit under Special Relief Act has been lodged by the aggrieved party against the petitioners. The dispute is purely of civil nature.

5. Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate Ist Class-cum-Additional Munsif, Samastipur in connection with Kalyanpur P.S. Case No. 437 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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