

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50589 of 2023

Arising Out of PS. Case No.-77 Year-2021 Thana- KATIHAR COMPLAINT CASE District-
Katihar

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1. Md. Israel Kureshi Son of Late Abdul Ajij Resident of Mohalla - Amla Tola, P.S. - Katihar Town, District - Katihar
 2. Md. Samshad Kureshi Son of Late Ibrahim Kureshi Resident of Mohalla - Amla Tola, P.S. - Katihar Town, District - Katihar

... .. Petitioner/s

Versus

1. The State of Bihar, Patna
2. Babita Devi Wife of Sunil Kr. Mandal Resident of Driver Tola, P.S. - Katihar, District - Katihar. At Present Residing At Mohalla - Ghospara, P.S. - Katihar, District - Katihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghvendra Kumar Singh, Advocate
For the Opposite Party/s : Dr. Ajeet Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-08-2023 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 420, 406, 468, 471, 120(B) of the Indian Penal Code.

3. It is alleged that these petitioners along with other accused persons executed sale deed of land in favour of the complainant by furnishing incorrect *khata* and *khaseera* number and thus, committed fraud with the complainant.

4. Petitioner No. 1 is co-executant and petitioner No.



2 is witness of the sale deed.

5. It is submitted that the land in question was executed by petitioner No. 1 and one Hamida in favour of the complainant in the year 2013 but complaint has been lodged after lapse of 8 years i.e. on 13.01.2021 without any valid explanation for the same. Moreover, it is purely a dispute of civil nature. Petitioners have got clean antecedent.

6. Considering the aforesaid facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of six weeks from today, 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 Chief Judicial Magistrate, Katihar in connection with Katihar Complaint Case No. 77 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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