

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55990 of 2023

Arising Out of PS. Case No.-275 Year-2023 Thana- ARARIA District- Araria

1. MD. BABUL SON OF LATE ISAHAK RESIDENT OF VILLAGE- LAHTORA TOLA CHAUGHARIYA, PS AND DIST- ARARIA
2. MD. SAMIM @ SHAMIM SON OF LATE ISAHAK RESIDENT OF VILLAGE- LAHTORA TOLA CHAUGHARIYA, PS AND DIST- ARARIA
3. MD. FARUK @ FURUK ALAM SON OF MD. MAHAFUL RESIDENT OF VILLAGE- LAHTORA TOLA CHAUGHARIYA, PS AND DIST- ARARIA
4. MD. KAUNEN @ KAUNEN SON OF MD. JAMILUDDIN @ JUMMAN RESIDENT OF VILLAGE- LAHTORA TOLA CHAUGHARIYA, PS AND DIST- ARARIA
5. MD. ISRAFIL SON OF MD. SAHABUDDIN RESIDENT OF VILLAGE- LAHTORA TOLA CHAUGHARIYA, PS AND DIST- ARARIA
6. MD. NAUSAD @ NAUSAD ALAM @ MD. NAUSAD ALAM SON OF MD. JUMMAN RESIDENT OF VILLAGE- LAHTORA TOLA CHAUGHARIYA, PS AND DIST- ARARIA
7. ABDUL MANNAN SON OF GULAM RASOOL RESIDENT OF VILLAGE- DIMAHIYA WARD NO. 03, PS- JALALGARH, DIST- PURNEA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-08-2023 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend their arrest in a case registered for the offence punishable under Section 467, 468, 420, 504, 506/34 of the Indian Penal Code.

3. As per the prosecution case, the vendor and vendee



in connivance with petitioner No.7 have purchased the land in question by committing forgery with a view to grab the land, which was registered in the name of informant and his mother.

4. Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in the case. It is further submitted that petitioner No. 1 to 6 have purchased the land in question through a registered sale deed No. 12031 dated 28/11/2017 from co-accused, Bibi Shahana and Gulam Rasool and mutated the land in their names and they have got rent receipt up till now. It is next submitted that the dispute, which is in substance of civil nature, has been given cloak of criminal offence. The petitioners have already filed T.S. No. 292/ 2023 against the informant for the alleged land which is pending. Petitioners have got clean antecedent.

5. Learned counsel appearing for the State opposes the prayer for anticipatory bail.

6. Considering the facts of the case and nature of accusation against the petitioners, let the petitioners, above named, in the event of their arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the



like amount each to the satisfaction of Chief Judicial
Magistrate, Araria in connection with Araria PS case No. 275/
2023, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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