

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60871 of 2023

Arising Out of PS. Case No.-21 Year-2021 Thana- DEODHA District- Madhubani

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1. Md. Asif Ekbal @ Asim Ekbal, Sex-M, aged about 39 years, son of Md. Kasim @ Md. Kasim Ali
 2. Md. Asgar, Sex-M, aged about 41 years, son of Ajijur Rahman,
Both resident of village- Deodha, P.S. - Deodha, Distt. - Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Naimuddin, sex- Male, son of late Abdul Ajij, resident of village-
Deodha, P.S. - Deodha, Distt.- Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Advocate
For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 11-10-2023 Learned counsel for the petitioners seeks permission to make necessary correction in the prayer portion of the application with regard to name of the police station. Prayer is allowed.

2. Let the same be done in course of the day.

3. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

4. The petitioners apprehend arrest in connection with Deodha PS Case No.21 of 2021 dated 01.03.2021, instituted under Sections 341, 323, 504, 506, 420, 467, 468, 471, 120-B of the Indian Penal Code.



5. The prosecution case, in short, is that Md. Sagheer, who is the cousin of the informant, had sold the land purchased by the father of the informant to the petitioners by making manipulation in the deeds.

6. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The petitioners are the *bonafide* purchasers of the land, in question, through registered sale deed upon paying the consideration money. The sale deed was executed by Md. Sagheer in favour of the petitioners on 08.10.2011. It is further submitted that the present FIR has been lodged on 01.03.2021 i.e., after ten years of the alleged sale and purchase. It is further submitted that the petitioners have no criminal antecedents.

7. Learned APP has opposed the prayer for bail.

8. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhubani, in Deodha PS Case No.21 of 2021, subject to the conditions laid down in



Section 438(2) of the Code of Criminal Procedure, 1973.

9. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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