

N THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68830 of 2023

Arising Out of PS. Case No.-405 Year-2019 Thana- GAYA COMPLAINT CASE District-
Gaya

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1. Md. Ghulam Sadique Son of Md. Yusuf Ansari R/o vill - Ranapur (Karbala), Chakand, P.s. - Chakand, Distt. - Gaya
 2. Md. Akhtar Shah Son of Md. Sibte Rahim Shah R/o vill - Chakand (Karbala), PS Chakand, Distt. - Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sideshwar Prasad Yadav Son of Late Jaglal Yadav R/o vill - Nangarh, P.S. - Chakand, Distt. - Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anand Kishore Sinha,Adv.
For the Opposite Party/s : Mr.Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 08-11-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Complaint Case No. 405 of 2019 instituted for the offence punishable under Sections 420, 467, 468, and 471/34 of the Indian Penal Code, but cognizance has been taken under Sections 420/34 of the IPC.

3. The complainant alleges that on 21-08-2013 an agreement was entered with Moaris Immanuel for a piece of land on the ground that land belongs to him and an amount of Rs. 10,71,000/- was paid in lieu of the agreement, but later he



came to know that Immanuel has filed a Title Suit No. 331 of 2017 in the Court of learned Sub- Judge XII, Gaya for declaration of title and possession over the land in question.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence as alleged in the complaint petition. The sale deed is executed on 23-01-2018 by Moaris Immanuel in favour of Ghulam Zilani @ Gulam Jilani and Ghulam Sadiq. The petitioner no. 1 is one of the purchasers of the land and the petitioner No.2 is the witness of the sale-deed. It is submitted that the petitioners have no knowledge about the agreement for sale dated 21-08-2013 between the complainant and Moaris Immanuel. Two criminal cases are pending against the petitioner No.1 since before, whereas petitioner no. 2 has no criminal antecedents, as per statement made in para 3 of the bail petition.

5. Learned A.P.P. has opposed the prayer for bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Complaint Case No. 405 of 2019, they shall be released on anticipatory 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 ACJM XI, Gaya, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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