

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72644 of 2023

Arising Out of PS. Case No.-400 Year-2021 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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1. Md. Amjad Alam @ Md. Amzad S/O Late Mohammad Qyamuddin @ Qyamuddin Resident Of Village- Pakhopali, P.S.-uchakagaon, District-Gopalganj.
 2. Md. Parwej Alam @ Md. Parwez S/O Late Mohammad Qyamuddin @ Qyamuddin. Resident Of Village- Pakhopali, P.S.-uchakagaon, District-Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Abdullah S/O Late Shiekh Abbas @ Md. Sheikh Abbas Resident Of Village- Pakhopali, P.S.-UCHAKAGAON, District-Gopalganj.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Javed Aslam
For the Opposite Party/s : Mr.Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

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

2. The petitioners apprehend their arrest in a complaint case punishable for the offence under Section 420/34 of the Indian Penal Code.

3. Allegation against these petitioners is that they filed forged and fabricated sale-deed in a proceeding initiated under Section 145 of the Cr.P.C.

4. It is submitted on behalf of petitioners that due to



admitted land dispute between the parties, this false and concocted case has been filed. From perusal of complaint petition, it is apparent that dispute is purely of a civil nature and since the complainant failed to get any relief from the concerned civil court, he has filed this false and concocted case. Father of the complainant had already filed Title Suit No. 202 /1997 in the court of learned Sub-Judge, Gopalganj against grand-father of the petitioners for cancellation of different sale-deed including sale-deed no. 9379 dated 29.06.1970, which was ultimately dismissed on 17.03.2011.

5. Learned A.P.P. for the State has opposed the bail petition.

6. Considering the admitted land dispute between the parties and the dispute is purely of a civil nature, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate - IX, Gopalganj in connection with Complaint Case No. 400 of 2021 corresponding to Trial No. 1598 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal



Procedure.

(Prabhat Kumar Singh, J)

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