

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1788 of 2023

Arising Out of PS. Case No.-1034 Year-2022 Thana- PURNIA COMPLAINT CASE District-
Purnia

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1. MD. MUSABBIR @ MD. MUSAWWIR Son of Late Hasibur Rhaman Resident of village - Jhawari Tola Baluganj, P.S.- Jalalgarh, District - Purnea.
 2. Md. Jafar @ Jafar Alam Son of Late Hasibur Rhaman Resident of village - Jhawari Tola Baluganj, P.S.- Jalalgarh, District - Purnea.
 3. Abdul Hafiz Ansari Son of Late Insar Resident of village - Sonapur, P.S.- Amour, District - Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nujhat Naaz Wife of Abdul Wadood D/O Late Shami Alam, Resident of village - Gurhi, P.S.- Kasba, District - Purnea

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K.Agrawal, Sr.Adv. Mr.Nadimul Hasan Mr.Kumar Rajdeep Mr.Arvind Kumar
For the Opposite Party/s	:	Mr.Umeshanand Pandit,APP Mr.Fazle Karim

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 27-03-2023 Heard learned counsel for the petitioners, State and complainant.

The petitioners apprehend their arrest in a complaint case punishable for the offence under Sections 406, 467 of the Indian Penal Code.

It is a case of cheating by impersonation. It is alleged that complainant's father had registered only 27 decimals of land in the name of petitioner no. 1 and petitioner no. 2, but both



the petitioners with the help of petitioner no. 3 have got registered 80 decimals of land of complainant's father fraudulently.

It is submitted on behalf of petitioners that petitioners no. 1 and 2 are cousin brothers, whereas petitioner no. 3 is deed-writer of the sale-deed in question and have committed no offence, as alleged in the complaint petition. It is further submitted on behalf of petitioners that the complaint case has been lodged after a lapse of 13 years of the alleged sale-deed without there being any plausible explanation. It is lastly submitted that the dispute is civil in nature. Petitioners have got clean antecedent.

Learned A.P.P. for the State as well as learned counsel for the complainant vehemently opposed the bail petition.

Considering the inordinate delay in filing complaint case, nature of dispute and clean antecedent of petitioners, 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 Chief Judicial Magistrate, Purnea in connection with Complaint Case No. 1034 -C of 2022, subject



to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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