

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39095 of 2024

Arising Out of PS. Case No.-73 Year-2023 Thana- SIKTI District- Araria

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1. BIBI FATMA @ BIBI FATMA KHATOON WIFE OF GULAFAL @ MD. GULAFAL RESIDENT OF VILLAGE - KHARIBASTI, P.S. - TERAGACHH, DISTRICT - KISHANGANJ
 2. HASMOUDDIN SON OF LATE SAHAR ALI RESIDENT OF VILLAGE - MILKBASTI, WARD NO. 07, P.S. - SIKTY, DISTRICT - ARARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kishore Bharti
For the Opposite Party/s : Mr.Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-07-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in a case registered
for the offence under Section 420 of the Indian Penal Code.

3. It is alleged that despite receiving consideration
money in advance, pursuant to an agreement, the petitioners
refused to execute the sale-deed in favour of the informant.

4. Learned counsel for the petitioners submits that
dispute involved in the present petition is purely of civil nature
and none of the acts allegedly committed by the petitioner give
rise to any criminal liability. It is out-and-out a civil dispute, for
which, informant has got some other remedy. Petitioners claim
clean antecedent.



5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances, in the event of arrest/surrender before the Court below within a period of six weeks from today, let the above named petitioner 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 learned S.D.J.M., Araria in connection with Sikty P.S. Case No.73 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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