

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42482 of 2023

Arising Out of PS. Case No.-1049 Year-2014 Thana- NAGAR District- Vaishali

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1. Md. Aslam @ Gabbar S/O Late Md. Islam R/O Village- Mohabbatpur, P.S- Industrial Estate, Distt.- Vaishali.
 2. Md. Azam S/O Late Md. Islam R/O Village- Mohabbatpur, P.S- Industrial Estate, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar Singh
For the State	:	Mr. Mohammad Sufyan
For the O.P. No. 2	:	Mr. Bhavesh Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 08-02-2024 Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel for the opposite party no. 2.

2. The petitioners apprehend their arrest in Hajipur Town P.S. Case No. 1049 of 2014 registered for the offences punishable under Sections 420, 406, 468, 469, 120(B) of the Indian Penal Code pending in the Court of learned Chief Judicial Magistrate, Vaishali at Hajipur.

3. As per the prosecution case, allegation against the petitioners is that after taking the consideration money from the informant they have not executed the sale deed in his favour.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that there is no agreement between the parties and it is a civil dispute between the parties. The petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the opposite party no. 2 opposed the prayer for anticipatory bail and showed a copy of the agreement between the parties and submitted that the consideration money was deposited in the bank.

6. Considering the facts and circumstances of case and the nature of the offence, I am not inclined to enlarge the petitioners on anticipatory bail. The prayer for anticipatory bail of the petitioners is hereby rejected.

(Anjani Kumar Sharan, J)

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