

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43995 of 2024

Arising Out of PS. Case No.-222 Year-2023 Thana- MANIGACHI District- Darbhanga

1. Md. Mohsin Raien @ Md. Mohsin Son of Md. Fakhruddin R/O Vill.- Tariyati, P.S.- Manigachhi (Bajitpur O.P.), Dist.- Darbhanga
2. Ayasha Khatoon wife of Md. Mohsin Raien @ Md. Mohsin R/O Vill.- Tariyati, P.S.- Manigachhi (Bajitpur O.P.), Dist.- Darbhanga
3. Md. Ali Akbar Son of Md. Safik R/O Vill.- Tariyati, P.S.- Manigachhi (Bajitpur O.P.), Dist.- Darbhanga
4. Mohammad Ajharuddin @ Azharuddin Son of Md. Mohsin Raien @ Md. Mohsin R/O Vill.- Tariyati, P.S.- Manigachhi (Bajitpur O.P.), Dist.- Darbhanga
5. Md. Alimuddin Son of Md. Mohsin Raien @ Md. Mohsin R/O Vill.- Tariyati, P.S.- Manigachhi (Bajitpur O.P.), Dist.- Darbhanga

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha
For the Opposite Party/s : Mr. Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-08-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 323, 342, 341, 384, 420, 467, 468, 471, 452, 354(B) and 120(B) of the Indian Penal Code read with Section 27 of the Arms Act.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that she and Janati Khatoon are own sisters and their



father died ten years ago, thereafter, her mother married another person and left with her new husband, thereafter, informant and her sister went to live with brother of their father and his wife, it is next alleged that aunt and uncle of the informant with greedy intention of grabbing their share of land brought the informant and her sister forcefully at Bahera registry office and got sale deed registered in favour of Md. Mohsin Raien.

4. Learned counsel for the petitioners submits petitioner no. 1 is purchaser of land in whose favour sale deed has been executed by the informant and her sister. It is next submitted that petitioner nos. 2, 4 and 5 are wife and sons of petitioner no. 1 and petitioner no. 3 is said to be a middle man. It is next submitted that even presuming what has been alleged is true without admitting then allegation of forcefully getting the sale deed executed is against the uncle and aunt of the informant and the petitioner no. 1 is an innocent purchaser and he has purchased the land after paying the due consideration and the allegation of carrying arm is ornamental.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the



event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Manigachhi (Bajitpur O.P.) P.S. Case No. 222 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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