

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75015 of 2024

Arising Out of PS. Case No.-1210 Year-2022 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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1. Md Irshad @ Md Irshad Alam S/O Sekh Ainul Resident of Village, P.S.- Amdabad District - Katihar.
 2. Disiyal S/O Sekh Ainul Resident of Village, P.S.- Amdabad District - Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Salima Khatun W/O Naim R/o Village Pashchimtola Amdabad, P.S.- Amdabad, Distt.- Katihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhakar Singh, Advocate
For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 13-11-2024

1. Heard learned counsel for the parties.

2. The petitioners in this application pray for grant of anticipatory bail apprehending their arrest in connection with Complaint case/ C.A. no.1210 of 2022 registered for the offence punishable under sections 420, 467, 468 and 120B of the Indian Penal Code.

3. As per the prosecution case, the complainant states that taking benefit of similarity in the name of the father



of the complainant and that of the father of the petitioners, it is alleged that the petitioners along with their mother executed sale deed with respect to the land of the complainant in favour of one Md. Galib and his wife.

4. Learned counsel for the petitioners referring to the order of the learned DCLR (Annexure-3) submits that while the petitioners happen to be the son of Sheikh Ainul from his second wife, the complainant happens to be daughter of Sheikh Ainul from his first wife. The dispute between the parties are purely civil in nature. The petitioners have no criminal antecedent and undertake to cooperate in the investigation/trial.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioners in the complaint, there being a title suit bearing Title Suit no.129 of 2023 pending in the Court of learned Sub Judge-I, Katihar as stated in paragraph no.8 of this petition together with the petitioners not having any criminal antecedent, it is directed that the petitioners above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in



connection with Complaint case/ C.A. no.1210 of 2022 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Katihar.

(Partha Sarthy, J)

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