

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82618 of 2023

Arising Out of PS. Case No.-263 Year-2022 Thana- PURNIA COMPLAINT CASE District-
Purnia

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1. MD. HASIBUR RAHMAN SON OF LATE SHAFIQR RAHMAN R/O VILLAGE- MOGLAHA (POTHIA TOLA), P.S.- K. NAGAR (CHAMPA NAGAR), DISTRICT- PURNEA
 2. HAMIDA KHATOON WIFE OF MD. HASIBUR RAHMAN R/O VILLAGE- MOGLAHA (POTHIA TOLA), P.S.- K. NAGAR (CHAMPA NAGAR), DISTRICT- PURNEA
 3. MD. ASHARAF RAZA SON OF MD. HASIBUR RAHMAN R/O VILLAGE- MOGLAHA (POTHIA TOLA), P.S.- K. NAGAR (CHAMPA NAGAR), DISTRICT- PURNEA

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. RAJI ALAM @ MD. RAJI SON OF LATE SAGIR UDDIN R/O VILLAGE- MOGLAHA (POTHIA TOLA), P.S.- K. NAGAR (CHAMPA NAGAR), DISTRICT- PURNEA MOGLAHA, WARD NO.-06, P.S.- K. NAGAR (CHAMPRA NAGAR), DISTRICT- PURNEA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar
For the Opposite Party/s : Mr.Syed Mojibur Rahman

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 05-03-2024 Heard learned counsel for the petitioners as well as

the learned counsel for the informant and the learned APP for

the State.

2. The petitioners apprehend their arrest in

connection with Complaint Application Case No. 263 of 2022,

registered for the offences punishable under Sections 420, 465,

471/34 of the Indian Penal Code.



3. As per allegation, the complainant had purchased the land in dispute from Manoj@Kalu in Mauja- Pothia. The complainant constructed the house on the disputed land. Petitioner no. 1 executed a sale deed for the same land in respect of Hamida Khatoon (petitioner no. 2), who is his wife, without any right or title.

4. The learned counsel for the petitioner has submitted that the land in question is ancestral property of petitioner no. 1 to which he has every right to alienate. He has executed a sale deed in favour of petitioner no. 2. He has submitted further that the proceedings under Section 144 of the CrPC have also been initiated for so many times.

5. On the other hand, the learned APP for the State assisted by the learned counsel for the informant have opposed the prayer for bail and submitted that without right and title, petitioner no. 1 executed the sale deed in favour of his wife, which was purchased by the complainant from one Manoj @ Kalu. They have submitted further that as per their information, some cases of similar nature are pending against the petitioners.

6. Considering the above-mentioned facts and circumstances, let the petitioners, in the event of their arrest or surrender within four weeks before the learned court below, be



released on bail on furnishing bail bond 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 Application Case No. 263 of 2022, subject to the conditions as laid down under Section 438(2) Cr.P.C.

7. Learned court below, after accepting the bail bond, shall verify the criminal antecedent of the petitioners and if it is found that they are involved in any other case except the present one, their bail bonds shall be liable to be cancelled.

(Nawneet Kumar Pandey, J)

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