

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3242 of 2024

Arising Out of PS. Case No.-711 Year-2022 Thana- GAYA COMPLAINT CASE District-
Gaya

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1. MD. MUDDASIR HASSAN @ MUDASIR HASSAN SON OF MD. MOINUDDIN Resident of Village - Belgaun, Tola - Belbigha, P.S. - Gurua, District - Gaya
 2. MD. ZAHOOOR SON OF MD. SHAFI MIYAN Resident of Village - Belgaun, Tola - Belbigha, P.S. - Gurua, District - Gaya
 3. MD. MANZOOR ALAM SON OF MD. SHAFI Resident of Village - Belgaun, Tola - Belbigha, P.S. - Gurua, District - Gaya
 4. MD. MANSOOR ALI SON OF MD. MOINUDDIN Resident of Village - Belgaun, Tola - Belbigha, P.S. - Gurua, District - Gaya

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. MD. MOINUDDIN SON OF LATE SADARAT HUSSAIN Resident of Village - Belgaun, Tola - Belbigha, P.S. - Gurua, District - Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar , Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 01-07-2024 Heard learned counsel for the petitioners and the

State.

2. Petitioners apprehend their arrest in a case registered for the offence punishable under sections 384 and 34 of the Indian Penal Code .

3. The prosecution case , in brief, is that on the alleged date and time of occurrence , while complainant was at the courtyard of his house , in the meantime, he saw that two



unknown persons, covering their faces, were standing, When the complainant asked them, then they threatened and assaulted him and thereafter, six persons entered inside the house and demanded Rs. 80,000/-, ornaments, and documents of the land from *Almirah*. It is further alleged that Md. *Mansoor* also took out old ornaments and documents of the property and also took Rs.15,000/- from the complainant's son. It is lastly alleged that the aforesaid persons obtained the signature of the complainant upon blank paper.

4. It is submitted on behalf of the petitioners that the present case is counter blast of Complaint Case No. 680/2022 on 12-09-2022 before the Ld. A.C.J.M. Sherghati, Gaya under Section 406, 402, 467, 468, 471. 448, 380, and 323, 341, 504, 506 of I.P.C. filed by the Petitioner No. 1 . The Ld. Court below has taken cognizance in the said case u/s 419, 323, 341, and 504, of I.P.C. It is also apparent from the complaint petition filed by the petitioners No.1 that there is a civil dispute with regard to the lease agreement between the parties as the land belongs to the petitioner pertaining *Khata* No. 85 *Keshra* No. 817, 387 and *Khata* No. 86, *Keshra* No. 399, 429, 453 and aforesaid land is *khatyani* land of the petitioner in which there was a lease settlement dated 03-10-2016 was prepared. It is



lastly submitted that both parties are co-villagers and LPG Gas Godwan was constructed on the aforesaid land, but due to monetary dispute between the parties the present false and fabricated case has been lodged against these petitioners. Rest of the allegation are ornamental in nature .

5. Learned counsel for the State oppose the bail petition.

6 Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioners, as named above, be enlarged 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 the learned JM - 1st Class, Sherghati, Gaya in connection with Complaint Case No. 711 of 2022 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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