

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83210 of 2019

Arising Out of PS. Case No.-789 Year-2017 Thana- COMPLAINT CASE District-
Kishanganj

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1. Md. Ilyas Son Of Pajiruddin Resident Of Village - Bahadurpur, P.S.-
Thakurganj, Distt.- Kishanganj.
 2. Faiyaz @ Faiyaz Alam Son Of Late Fiddi Hussain Resident Of Village -
Malingaon, P.S.- Powakhali, Distt.- Kishanganj.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Mukhtar Alam Son of Late Bassiruddin Resident of Village -
Bahadurpur, P.S.- Thakurganj, Distt.- Kishanganj.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Sinha
For the Opposite Party/s : Mr.Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

6 12-02-2024 1. Heard learned counsel for the petitioners and

learned APP for the State.

2. The petitioners seek bail in anticipation of their

arrest in a case registered for the offences punishable under

Sections 323, 341, 420, 406, 467, 468 and 120B of the

Indian Penal Code.

3. The learned counsel for the petitioners submits

that a purely civil dispute has been given a criminal colour. It

is also submitted that the complainant alleges that he had

purchased land from Abdul Hannan @ Md. Abdul Hannan



after paying Rs.49,000/- as consideration amount vide sale deed no.3106 dated 03.05.2017, but later on, it came to the knowledge of the complainant that Abdul Hannan @ Md. Abdul Hannan had already sold the same land to his own sister vide sale deed no.3026 dated 29.04.2017.

4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case. The learned counsel for the next submits that petitioners are neither owner of land, nor they had any concern with the land, but they came to be implicated, merely because they were known to Abdul Hannan @ Md. Abdul Hannan and the complainant alleges that a sum of Rs.49,000/- was paid to Abdul Hannan @ Md. Abdul Hannan through the petitioners. It is next submitted that the said allegation has been made only to coerce the petitioners into submission. It is thus submitted that petitioners have been falsely implicated merely because they known to Abdul Hannan @ Md. Abdul Hannan, when they have absolutely no role in between the complainant and the owner of the land with respect to the purchase of land made by the



complainant. It is next submitted that Abdul Hannan @ Md. Abdul Hannan has been granted the privilege of anticipatory bail by a learned Coordinate Bench by an order dated 13.07.2020 in Cr. Misc. No.15896 of 2020.

5. Learned A.P.P. opposes the bail application.

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 Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kishanganj in connection with Complaint case No.C-789 of 2017, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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