

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8090 of 2025

Arising Out of PS. Case No.-32 Year-2024 Thana- BAHERA District- Darbhanga

1. Md. Sahabuddin Khan @ Md. Sahabuddin Kha @ Md. Shahabuddin Khan S/O Late Rasid Ahmad Khan R/O Village- Ashapur, P.S- Bahera, Distt.- Darbhanga, Bihar.
2. Md. Madani Khan @ Md Madani Kha @ Ataur Rahman Khan S/O Late Md. Safir Khan R/O Village- Ashapur, P.S- Bahera, Distt.- Darbhanga, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shahbaj Alam
For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 02-04-2025 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 offence under Sections 420 & 34 of the Indian Penal Code.

3. As per prosecution case, informant got a piece of land, bearing Khata no. 101(old) 51 (new), Khesra no. 1444(old) 2524(new) through sale-deed and was in peaceful possession of the same, but co-accused Md. Jafar Khan fraudulently executed sale-deed of the same land on 20.12.2023 in favour of petitioner no. 1, whereas, petitioner no. 2 was identifier of the said sale-deed.



4. Learned counsel for the petitioners submits that petitioner no. 1 is *bona-fide* purchaser of the land in question and has purchased the said land after payment of full consideration amount and petitioner no. 2 is identifier of the said sale-deed. Moreover, the dispute is purely of civil nature. Learned counsel further submits that in this case, a title suit, vide Title Suit No. 05/1997, is pending in the court of Sub-Judge, Benipur, Darbhanga (Annexure P/2 series). Co-accused Md. Sahim @ Sahim Khan has already been granted anticipatory bail by a coordinate Bench of this Court, vide order dated 18.09.2024 passed in Cr.Misc. No. 60390 of 2024 (Annexure P/3).

5. Learned A.P.P. for the State has opposed the bail petition.

6. Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate, Bahera, District - Darbhanga in connection with Bahera P.S. Case No. 32 of 2024, subject to condition as laid down under Section



438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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