

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45285 of 2025

Arising Out of PS. Case No.-29 Year-2025 Thana- PALASI District- Araria

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1. Md. Rizwan @ Rizwan S/o Israfil R/O Village-Gopal Nagar, PS-Palasi, Distt-Araria
 2. Md. Jumman @ Jumman S/O Israfil R/O Village-Gopal Nagar, PS-Palasi, Distt-Araria
 3. Israfil S/O Late Anamul R/O Village-Gopal Nagar, PS-Palasi, Distt-Araria
 4. Md. Guddu S/O Manzoor R/O Village-Kakorwar, PS-Palasi, Distt-Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mosst. Rayeesun Khatoon W/O Late Shahid R/O Village-Gopal Nagar, PS-Palasi, Distt-Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Baleshwar Kamat, Advocate
For the State	:	Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 16-07-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Palasi P.S. Case No. 29 of 2025, registered for the offences punishable under Sections 319(2), 318(4), 352, 351(2), 351(3), 3(5) of B.N.S., 2023.

3. As per allegation, petitioner No. 3/Israfil has fraudulently sold the same property to the informant which he had previously sold to his sons.



4. Learned counsel for the petitioners submits that the Petitioners are innocent and have falsely been implicated in this case. He further submits that the petitioners have not sold the same land to the informant to which he has previously sold to his sons. To substantiate his submission, he further submits that in the year, 2017, the petitioners had sold four decimal of land to the informant bearing Khata No. 845, Plot Nos. 4071 and 4072. However, previously, the petitioners had sold 16 decimal of land bearing Khata No. 845, Plot Nos. 4007, 4008 and 4009 to the sons.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioners have no criminal antecedents.

7. Learned APP for the State and learned counsel for the informant vehemently oppose the prayer of the Petitioners for bail submitting that the land sold to the informant are same which the petitioner No. 3/Israfil had previously sold to his sons.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioners above-named,



to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Palasi P.S. Case No.-29 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J)

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