

IN THE HIGH COURT OF JHARKHAND AT RANCHI

A.B.A. No. 3476 of 2020

1. Munsif Ansari.
2. Mohan Sao.
3. Sudhir Nath Mishra.Petitioners

Versus

1. The State of Jharkhand.
2. Nirpu Ansari.Opposite Parties

Coram: THE HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY

For the Petitioners : Mr. Md. Sajid Yunus, Advocate
For the State : Mr. Sardhu Mahto, A.P.P.

02/14-9-2020 Heard the parties.

So far as the defect nos.3, 4, 9(iv), as pointed out by the office are concerned, learned counsel for the petitioners undertakes to remove the same once the situation normalizes. As regards the rest defects are concerned, same are ignored.

The petitioners apprehend their arrest in connection with Protest cum Complaint Case No. 264 of 2019.

It has been alleged that one Md Idrish in connivance with other accused persons had fraudulently got executed a sale deed by the complainant for 13 ½ decimals of land. On being confronted, Md Idrish executed an Ekrarnama that after mutation he will execute another sale deed and resale the 13 ½ decimals of land to the complainant.

It appears that initially with respect to the allegations, as levelled, Bishnugarh P.S. Case No. 28 of 2018 was lodged, in which after investigation final form was submitted and on a protest petition having been filed by the complainant, cognizance has been taken under section 420 of the Indian Penal Code and the petitioners have been summoned to face the trial.

Petitioner Nos. 1 and 3 appear to be the witnesses of the sale deed while petitioner no. 2 is the deed writer of the sale deed. The main allegations even as per the complaint petition seem to revolve around Md. Idrish who was the person mainly responsible for execution of the sale deed by the complainant and the subsequent promise though the said Md. Idrish has resiled in spite of making such promise.

On consideration of the aforesaid facts, the petitioners, named above, are directed to surrender in the court below within a period of four weeks from today and pray for regular bail, and in that event, they will be enlarged on bail, on furnishing bail bond of Rs.10,000/- (Ten thousand only) each with two

sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st class, Hazaribagh in connection with Protest cum Complaint Case No. 264 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This application stands allowed.

(Rongon Mukhopadhyay, J)

Rakesh/-