

[2025:JHHC:11140]

IN THE HIGH COURT OF JHARKHAND AT RANCHI

A.B.A. No.2309 of 2025

-
1. Afjal Miyan @ Afzal Miyan @ Md. Afzal, aged about 42 years, S/o-Late Abdul Mannan Miyan, R/o-89, near Masjid Jamira, Jamira, P.O.-Keredari, P.S.-Keredari, Dist.-Hazaribagh, Jharkhand-825311
 2. Maryam Khatun @ Mariyam Khatoon, aged about 44 years, W/o-Md. Afjal, R/o-Jamira, P.O.-Jamira, P.S.-Keredari, Dist.-Hazaribagh, Jharkhand-825311

..... Petitioners
Versus
The State of Jharkhand Opposite Party

CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioners : Mr. Shadab Eqbal, Advocate
For the State : Mr. V. S. Sahay, Addl. P.P

Order No.02 Dated- 11-04-2025

Heard the parties.

Apprehending their arrest in connection with Keredari P.S. Case No.216 of 2023 registered on the basis of Complaint Case No.490 of 2020 instituted for the offences punishable under Sections 341, 323, 406, 420, 467, 468, 504, 506 and 120B of the IPC, the petitioners have moved this Court for grant of privileges of anticipatory bail.

Learned counsel appearing for the petitioners submits that the allegation against the petitioners is that on the basis of forged partition deed the petitioner no.1 executed sale deed in favour of petitioner no.2. It is submitted that the allegation against the petitioners is false. It is further submitted that there is no allegation of impersonation against the petitioners. It is next submitted that the informant is the father of petitioner no.1 and father-in-law of petitioner no.2 and before his death he swore an affidavit before the notary public, that he does not want to proceed with the case. It is next submitted that there is inordinate and unexplained delay in filing the Complaint Case No.490 of 2020 which upon being referred to the police under Section 156 (3) of the Code of Criminal Procedure, the F.I.R has been registered. It is further submitted

that the dispute between the parties is a civil dispute. It is lastly submitted that the petitioners undertake to co-operate with the investigation of the case and to furnish sufficient security including cash security. Hence, it is submitted that the petitioners be given the privileges of anticipatory bail.

Learned Addl.P.P. appearing for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions of learned counsels and the facts and circumstances stated above, I am inclined to grant privileges of anticipatory bail to the petitioners. Accordingly, the petitioners are directed to surrender in the Court below within six weeks from today and in the event of their arrest or surrendering, they will be enlarged on bail **on depositing Rs.20,000/- each as cash security** and on furnishing bail bond of Rs.25,000/- (Twenty five thousand) each with two sureties of the like amount to the satisfaction of learned J.M., 1st Class, Hazaribagh in connection with Keredari P.S. Case No.216 of 2023 registered on the basis of Complaint Case No.490 of 2020 **with the condition that they will co-operate with the investigation of the case and appear before the investigating officer as and when noticed by him and furnish their mobile numbers and photocopy of the Aadhar Cards with an undertaking that they will not change their mobile numbers during the pendency of the case** and further conditions as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Anil Kumar Choudhary, J.)