

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32884 of 2014

Arising Out of PS.Case No. -3486 Year- 2012 Thana -SARAN COMPLAINT CASE District- SARAN

1. Parvat Choudhary S/o Late Shivdat Choudhary
2. Jai Ram Choudhary S/o Late Rama Choudhary Both R/o Village - Mubarakpur, P.S. Garkha, District - Saran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Singh, Advocate.

For the Opposite Party/s : Mr. C.B.Pd.(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 04-02-2015 Learned counsel for the petitioners seeks permission to withdraw the anticipatory bail petition of petitioner no. 1 Parvat Choudhary as has already died.

Prayer is allowed.

Petition on behalf of petitioner no. 1 Parvat Choudhary stands dismissed as withdrawn.

Heard both sides.

The petitioner no. 2 Jai Ram Choudhary apprehends his arrest in Complaint Case No. 3486 of 2012, corresponding to Tr. No. 4304 of 2014, registered for the offences punishable under Sections 409, 420, 467, 468 and 471 of the Indian Penal Code.

The complainant alleged that the land of Khata No. 37 of Survey Plot No. 217, 212 was standing in the name of Bhuwan Choudhary, son of Padarath Choudhary. After abolition of Jamindari the Jamabandi was

opened in the name of Ram Sagar Choudhary as Bhuwan Choudhary died issueless. Ram Sagar Choudhary also died issueless and the complainant inherited the property. The complainant alleged that the accused persons fraudulently mutated their names.

Learned counsel for the petitioner submits that since 1970, the petitioners are paying land revenue and the dispute is of civil nature.

On consideration of facts, that the dispute is with regard to mutation of the names with regard to the land, the petitioner, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Anchal Devedi, the learned Judicial Magistrate, 1st Class, Saran at Chapra in connection with Complaint Case No. 3486 of 2012, corresponding to Tr. No. 4304 of 2014, Subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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