

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.40737 of 2015**

Arising Out of PS.Case No. -280 Year- 2015 Thana -BUXAR District- BUXAR

1. Kanhaiya Pandey @ Kanhaiya Rai Son of Late Paras Nath Pandey  
resident of Village - Pandey Patti, Police Station - Buxar (M), District -  
Buxar.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Anil Kumar Roy, Advocate

For the Opposite Party/s : Mr. Madan Kumar (App)

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR**  
**SINGH**  
**ORAL ORDER**

2 07-10-2015

Heard learned counsel for the petitioner and the  
State.

The petitioner is apprehending his arrest in a  
case registered for the offences punishable under Sections  
420, 467, 468, 471, 379, 120B/34 of the Indian Penal  
Code.

Prosecution case is that the informant when  
visited her native house, found the lock of the house  
broken and the articles missing. Sanjay Kumar and  
Satendra Ram were found present in the house and they  
told that the house was purchased by their Maternal  
Uncle namely Baban Ram. It is alleged against the  
petitioner that petitioner with connivance with the agnates  
of the informant executed the sale deed in favour of Baban

Ram.

It is submitted by the learned counsel for the petitioner that the land in question is recorded in the name of Bhola Ram, Ram Chanar Ram, Sheo Chanar Ram, Most. Kaushalya Devi and Most Rita Devi and by virtue of power of attorney executed by the land holder, the petitioner executed the sale deed. Moreover, Title Suit No. 181 of 2012 is pending between the parties. Though, the petitioner has been made accused in three other cases lodged by the agnates of the petitioner for petty nature, but in all he has been granted bail.

Considering the accusation in the background of civil nature of dispute, let the above named petitioner be released on bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Buxar (T) P.S. Case No. 280 of 2015, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

**(Dinesh Kumar Singh, J)**

P.K./-

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