

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.38782 of 2015**

Arising Out of PS.Case No. -114 Year- 2015 Thana -BIHRA District- SAHARSA

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Kirtan Yadav Son of Late Hukum Yadav, Resident of village- Bishanpur,  
P.S. Bihra, District- Saharsa.

.... .... Petitioner/s

Versus

The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Pawan Kumar

For the Opposite Party/s : Mr. Rina Sinha(App)

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

**ORAL ORDER**

02/ 29-09-2015

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending his arrest in  
a case registered for the offences punishable under Sections 323,  
379, 420, 467, 468, 471 and 504 of the Indian Penal Code.

The prosecution case is that plot no. 864  
(old) 1191 (new) was the khatiyani land of one Mukhlal Manda  
measuring an area of 5 bigha 19 katha 18 dhurs. Co-accused  
Manoj Yadav purchased some part of the land from one Tara  
Devi. Subsequently in conspiracy with the revenue authorities  
during pendency of 144 Cr.P.C. proceeding plot number has  
been changed in the revenue records from 1191 to 1192 with  
intention to grab the land of the complainant.

It is submitted by learned counsel for the

petitioner that the accusation is not specific against the petitioner and the petitioner has been roped in the present case since he happens to be agnate of co-accused Manoj Yadav. The 144 Cr.P.C. proceeding was initiated for a dispute between the complainant and co-accused Manoj Yadav. The petitioner was not the party of the said proceeding and admittedly the purchase was made by Manoj Yadav, hence, he is beneficiary of the holding.

A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory 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, Saharsa in connection with Bihra P.S. Case No. 114 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Dinesh Kumar Singh, J)**

DKS/-

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