

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44975 of 2015

Arising Out of PS.Case No. -39 Year- 2009 Thana -MADHUBANI TOWN District- MADHUBANI

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Sujit Kumar Jha @ Sudhir Kumar Jha, son of Late Amarendra Kumar Jha
..... Petitioner/s

Versus

The State of Bihar.

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lalit Narayan Jha, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 30-10-2015 The matter has been listed out of turn on the prayer of learned counsel for the petitioner since it is submitted by learned counsel for the petitioner that there is bereavement in the family of the petitioner.

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 420/406/467/471/506/120B of the Indian Penal Code.

The prosecution case is that the informant purchased a piece of land of Khata No.127(old)/613(new) R.S.P. No.4655 admeasuring area 12 katha from the petitioner through registered sale deed dated 23.10.2007. Subsequently, the informant came into possession of the said land when he went to harvest the paddy crop then he was threatened by co-accused Suresh Rai not to harvest the same. It is alleged that on the instigation of Ravindra

Rai, co-accused Suresh Rai executed the sale deed in favour of the purchased land of the informant.

It is submitted by learned counsel for the petitioner that the land of the informant was never been sold to co-accused Suresh Rai and subsequent to lodging of the FIR the informant died and thereafter his wife entered into compromise and filed a petition to that effect before the learned court below, the said compromise petition has been brought on record as annexure - 3 to the petition. Moreover, co-accused Suresh Rai and Ravindra Rai has been granted anticipatory bail by learned court below vide ABP No.1201 of 2009 dated 03.02.2010.

Considering the nature of accusation and the retracted version of the informant's side, it is a case for consideration of prayer for regular bail of the petitioner, if he surrenders within a period of six weeks in connection with Madhubani Town P.S. Case No.39 of 2009, pending before the learned CJM, Madhubani.

With the above observation, this application is, accordingly, disposed off.

(Dinesh Kumar Singh, J)

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