

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20519 of 2015

Arising Out of PS.Case No. -302 Year- 2014 Thana -BUXAR District- BUXAR

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Tej Narayan Ojha Son of Late Ram Pravesh Ojha, resident of village- Ojha
Baraon, P.S. Murar, District Buxar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mr. Smt. Anita Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-06-2015 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in connection
with Buxar (T)P.S.Case No.302/2014 instituted under Sections
406, 420, 467, 468, 471 and 120B of the Indian Penal Code.

The prosecution story, in brief, is that the petitioner has
sold the land to co-accused of the joint property on which the
informant claimed to be his share and possession.

It has been submitted on behalf of the petitioner that the
petitioner has no criminal antecedent. Further it has been
submitted that the sale deed, in question, was executed by the
petitioner on the basis of share what was allotted to him by
judgment passed in Title Partition Suit No. 145 of 1995 but the
present prosecution has been brought after two years of execution

of sale deed i.e. in the year 2014 for which no explanation has been made on behalf of the prosecution. Further it has been submitted that the fact of the case relates to civil dispute and the same cannot be resolved in the criminal prosecution.

On behalf of the State it has been submitted that the petitioner is named in the FIR.

Considering the aforesaid facts, let the above named petitioner, in the event of his arrest or surrender in the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M.,Buxar,in connection with Buxar (Town) P.S.Case No. 302 of 2014, subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

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