

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49363 of 2014

Arising Out of PS.Case No. -86 Year- 2014 Thana -SHEKHPURA District- SEKHPURA

1. Mahant Sagar Das Chela of Mani Ram Das, Resident of Chakdiwan,
Shekhpura, P.S- Shekhpura, District- Shekhpura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suresh Prasad Bhakta

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 07-04-2015

Heard both sides.

The petitioner apprehends his arrest in
Sheikhpura P.S. Case No. 86 of 2014 registered under sections
406, 409, 420, 467, 468, and 471/120(B) of the Indian Penal
Code.

The gist of the case is that petitioner being
Mahant of Udasin Ashram of Chakdiwan was intending to execute
sale deed to different persons. It is alleged that the petitioner had
no authority to sale the land.

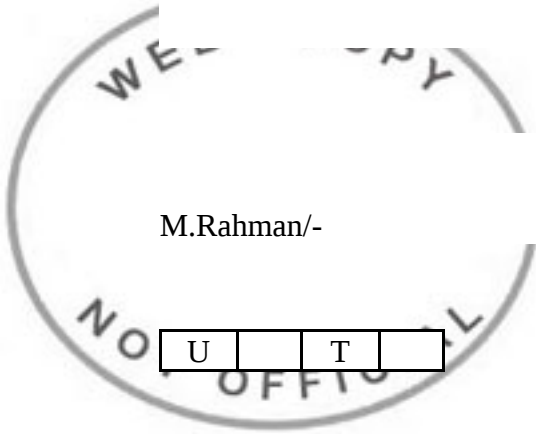
It is submitted that the dispute is very old. The
Bihar Religious Trust Board intervened in the peaceful possession
of Mahant Harikishun Das. Mahant Harikishun Das filed Title
Suit No. 65/60 against the Bihar Religious Trust Board which was



decreed in favour of the then Mahant and the Bihar Religious Trust Board was restrained from interfering in the suit premises of the then Mahant. The Bihar Religious Trust Board filed Title appeal annexure-3. The appeal of the Bihar Religious Trust Board was dismissed. Thereafter the State of Bihar interfered with the peaceful possession of the petitioner and the petitioner filed C.W.J.C. No. 16103 of 2006 as the Registrar was not registering the sale deed. The petitioner moved before this Court for quashing the first information report but the same was dismissed vide order dated 22.09.2014 passed in Cri. Misc. No. 12822 of 2014 with a direction to the investigating officer to conclude the investigation positively within a period of four months. It appears that the petitioner has got the judgment of title suit No. 65 of 1960 affirmed by this Court as far back as in the year 1964 by which it was held that the property is private one and the Bihar State Religious Trust Board has no concern with the same.

Considering the aforesaid facts, the above named petitioner in the event of his arrest or surrender before the court below within a period of four weeks from today is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial magistrate Sheikhpura in

Sheikhpura P.S. Case No. 86 of 2014 subject to the conditions as
laid down under section 438(2) Cr.P.C.



(Prabhat Kumar Jha, J)

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