

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.36798 of 2016**

Arising Out of PS.Case No. -74 Year- 2013 Thana -PURNIA COMPLAINT CASE District-  
PURNIA

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Raj Kumar Choudhary @ Raj Kumar son of late Ramcharitra Choudhary,  
Managing Director, M/s Mahakali Motors Private Limited, N.H. 31, Belouri  
Road, Police Station K.Hat Maranga, District Purnia.

.... .... Petitioner

Versus

1. The State of Bihar.
2. Santosh Kumar son of late Premchand Singh, resident of Mohalla  
Sheopuri, Police Station K.Hat, District Purnea.

.... .... Opposite Parties

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**Appearance :**

|                          |                                   |
|--------------------------|-----------------------------------|
| For the Petitioner       | : Mr. N.K. Agrawal, Sr. Advocate. |
|                          | Mr. Dr. Bidhu Ranjan, Advocate.   |
| For the Opposite Parties | : Mr. Bisheshwar Ram, APP.        |

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

7      11-01-2017                      Heard Mr. N.K. Agrawal, learned senior counsel for the  
  
petitioner, learned APP for the State and none appears on behalf of the  
  
complainant.

The petitioner apprehends his arrest in Complaint Case  
No. 74 of 2013, registered for the offences punishable under Sections  
420, 467, 468, 471 and 120B of the Indian Penal Code.

The complainant alleged that he purchased a piece of  
land of Khata No. 299, Khesra No. 1198, Area 29 decimals but Jagdish  
Prasad Poddar got a deed of power of attorney executed from Arun  
Oraon accused no. 3 with regard to the entire lands including the land  
of the complainant. Arun Oraon sold a piece of land in favor of Ram  
Pukar Rai and thereafter accused Ram Pukar Rai sold a piece of land in



favour of the petitioner Raj Kumar Chaudhary.

Mr. N.K. Agrawal, learned senior counsel for the petitioner submits that the petitioner has categorically stated in paragraph-9 of the bail petition, that he purchased plot no. 1201, 1191, 1192 measuring .40 acre, .52 acre and .12 acre respectively. The petitioner did not purchase any land of Plot No. 1198 of Khata No. 299. The lands purchased by the petitioner are adjacent to the land of the complainant.

Learned APP is not at all in a position to controvert the assertion made by the petitioners.

Considering the facts aforesaid, the petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Purnia in Complaint Case No. 74 of 2013, Subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

**(Prabhat Kumar Jha, J.)**

KKSINHA/-

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