

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.49172 of 2017**

Arising Out of PS.Case No. -64 Year- 2016 Thana -HABIBPUR District- BHAGALPUR

=====

1. Surendra Kumar Sonu @ Sonu Yadav @ Surendra Kumar @ Sonu, son  
of Late Etwari Yadav, Resident of Douthat, P.S.- Habibpur, District-  
Bhagalpur ..... Petitioner

Versus

1. The State of Bihar ..... Opposite Party

=====

**Appearance :**

For the Petitioner : Mr. Diwakar Upadhyaya, Adv.

For the Opposite Party : Mr. Pranav Kumar, APP 207

=====

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR**

**JHA**

**ORAL ORDER**

2      17-10-2017

Heard both sides.

The petitioner apprehends his arrest in Habibpur P.S. Case No. 64 of 2016 under Sections 386, 420, 467, 468, 406 and other sections of the Indian Penal Code.

The informant filed complaint case in which the informant alleged that he purchased 2160 sq. ft. land of khata nos. 4, 16, khesra nos. 54, 53 from Sunil Shekhar. Sunil Shekhar got the power of attorney from Suman Kumar Suman and Smt. Mausmi Rani, wife of Suman Kumar Suman. He alleged that the informant constructed boundary. The petitioner demolished the boundary wall of the informant and took away bricks.

The learned counsel for the petitioner submits that in fact Suman Kumar Suman and his wife gave power of attorney with regard to 56 decimals of land in favour of Sunil Shekhar, but, Sunil Shekhar executed sale deeds in excess of the lands given in power of attorney. The land of the petitioner situated by the side of the land of Suman Kumar Suman and many people came to encroach and take possession over the lands, for which many cases have been lodged against the petitioner. It appears that



on account of land dispute the petitioner has been made accused only because the lands of the petitioner situated by the side of the land of Suman Kumar Suman and his power of attorney holder executed sale deed with regard to such land, which does not belong to Suman Kumar Suman.

Considering the facts, aforesaid, the petitioner, above named, in the event of his arrest or surrender, within four weeks from the date of receipt of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with **Habibpur P.S. Case No. 64 of 2016** to the satisfaction of the **Chief Judicial Magistrate, Bhagalpur**, or successor Court, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

**(Prabhat Kumar Jha, J)**

SA/-

|   |   |   |   |
|---|---|---|---|
| U | √ | T | √ |
|---|---|---|---|

