

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.810 of 2017

Arising Out of PS.Case No. -330 Year- 2015 Thana -SAHARSA COMPLAINT CASE District-
SAHARSA

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Rajan Kumar Gupta @ Rajan Gupta @ Bobby s/o Suresh Prasad Gupta r/v-
Bariyahi Bazar, P.S. – Bangawn, Distt – Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar
2. Lalit Kumar Gupta, s/o Sahdeo Prasad Gupta, r/v – Bariyahi Bazar, P.S.
– Bangawn, Distt – Saharsa.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Harun Quareshi, Adv.

For the Opposite Party/s : Mr. Nand Kishore Pd, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 13-01-2017

Heard both sides.

The petitioner apprehends his arrest in Complaint
Case No. 330C/2015, registered for the offences punishable under
Section 392 of the Indian Penal Code.

The complainant alleged that while he was returning,
the petitioner snatched Rs. 50,000/- from his possession at the
point of pistol.

Learned counsel for the petitioner submits that there
is land dispute between the parties. The Basgit Parcha was issued
in the name of the mother of the petitioner and on account of a
piece of land there is dispute between the parties. The allegation of
snatching money is false and on account of land dispute this false



case has been lodged. Prior to lodging of this case petitioner lodged Complaint Case No. 1854C/2014 against the complainant and others.

On the other hand, learned counsel for the complainant vehemently opposed the prayer for anticipatory of the petitioner and submitted that some land on which the petitioner claimed that Basgit Parcha was issued in the name of his mother was purchased by the brother of the complainant. The complainant sought information under R.T.I. Act, 2005 on which the Circle Officer gave information that no Basgit Parcha was issued with regard to the land in favour of wife of Suresh Prasad Gupta. The petitioner was accused in Bangaon P.S. Case No. 104/2014 and he was granted bail by this court, but he concealed the name of his father, as Suresh Prasad Gupta and he disclosed the name of his father as Naresh Prasad Gupta who is the uncle of the petitioner.

Considering the facts aforesaid and the fact that there is litigation and dispute between the parties with regard to a piece of land and from both sides cases have been lodged against each other, 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 Judicial Magistrate, Saharsa in connection with Complaint Case No. 330C/2015, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

Vinita/-

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