

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8207 of 2017

Arising Out of Complaint Case No.283 Year- 2016 Thana -GOPALGANJ COMPLAINT CASE
District- GOPALGANJ

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Nuruddin Ahmad @ Nurdin Ahmad, son of late Sakur Mian @ Md. Sakur,
Resident of Village - Sawanhi Jagdish, P.S. Gopalpur, District - Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Manohar Manjhi, son of Saheju Manjhi, resident of village - Sawanhi Jagdish, P.S. Gopalpur, District - Gopalganj.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Dular Sah, Advocate.
For the Opposite Party/s : Mr. Rajendra Singh Shastriji, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 28-02-2017 Heard learned counsel for the petitioner, learned
counsel for the opposite party No. 2 and the State.

The petitioner apprehends his arrest in Complaint
Case No. 283 of 2016 instituted for the offence under Sections
420, 467, 468 and 120(B) of the Indian Penal Code.

It has been submitted on behalf of the petitioner that
he has no concern with the land in dispute. He is neither purchaser
nor vendor of the land. It has further been submitted that a title
suit is pending between the parties for the land in dispute. In the
complaint petition, it appears that accused persons raised objection
in construction of house by the complainant and both were called
to show the documents to the police. The accused persons



produced the deed in question dated 13.5.41 before the police.

In this manner, from nature of dispute itself, it appears that dispute between the parties is civil in nature and civil remedies are available to the complainant to redress his grievance.

Moreover, from perusal of the impugned order, it appears that Title Suit No. 284 of 2016 is pending in the court of Sub Judge-12, Gopalganj.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Complaint Case No. 283 of 2016, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned XIth Additional Chief Judicial Magistrate, Gopalganj, subject to the conditions as laid down under Section 438 (2) Cr. P.C.

S.Ali/-

(Sanjay Priya, J)

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