

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51532 of 2017

Arising Out of PS. Case No.-448 Year-2015 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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1. Lala Pramod Kumar Srivastava @ Lal Pramod Kumar Srivastava S/o L.D. Nath Srivastava, resident of Mohalla- Cheraiyatar, Postal Park, P.S.- Jakkanpur, District- Patna.
 2. Yogendra Prasad @ Yogendra Prasad Pal @ Yogendra Prasad Patel S/o Late Nathuni, resident of Village- Chargaha, P.S.- Bettiah Muffasil, District- West Champaran.
 3. Bhag Narayan Prasad @ Bhagya Narayan Rai @ Bhagya Narayan Prasad @ Bag Narayan Prasad, S/o Bishwanath Rai, resident of Village- Aamgachhi, P.S.- Chiraiya, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Dharmendra Kumar Jaiswal S/o Late Rajendra Prasad, resident of Village- Lalgah, P.S.- Bettiah Muffasil, District- West Champaran, Presently residing at Mohalla- Urwashi Cinema Road, P.S.- Bettiah Town, District- West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar
For the Opposite Party/s : Mr. SRI UMESHNAND PANDIT

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-11-2017 Heard learned counsel for the parties.

The petitioners are apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under sections 467,468 and 120B of the IPC.

The prosecution case is that the petitioners being the then Circle Officer, Halka Karmchari and Circle Inspector, Bettiah Sadar, on the basis of malicious report, did not mutate the name of the complainant maliciously with regard to the part of the



land appertaining to Thana No. 131, Khata No. 61 which was purchased land of the complainant.

It is submitted by learned counsel for the petitioners that since the complainant's name was not mutated with regard to the land in question, hence, case has been lodged only to put pressure upon the petitioners.

Considering the fact that if the complainant was aggrieved with the order passed in a mutation proceeding, he had the option to challenge the same before the appropriate forum under law and further the statement made in paragraph 3 that the petitioners have no criminal antecedent, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Bettiah, West Champaran in connection with Complaint Case No. 448C of 2015.

(Dinesh Kumar Singh, J)

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