

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55731 of 2017

Arising Out of PS.Case No. -52 Year- 2017 Thana -DIGHALBANK District- KISANGANJ

=====

Narendra Mudra @ Narendra Mundra, son of Late Sita Ram Mudra,
Resident of Mohalla- Loharpatti, P.S.- Kishanganj, District- Kishanganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Sanjesh Kumar Singh

For the Opposite Party/s : Dr. Indihar Kumari

=====

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 29-11-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Dighalbank P.S. Case no. 52 of 2017, registered under Sections 420,
467, 468, 471 and 419/34 of the Indian Penal Code.

The allegation of informant Khageshwar Prasad Singh is
that 2 Acre, 4 decimals and 9 Kari of land was purchased in the name
of his wife Ganga Devi from Om Prakash Jaishwal and the said land
was in his cultivation, due to unavoidable circumstances sale deed
regarding the said land could not be executed by Om Prakash Jaishwal,
who died on 31.05.2005. Thereafter, Janki Devi and Alok Jaiswal,
wife and son of Om Prakash Jaishwal executed the sale deed on
26.05.2017 regarding the said land and maize crop was cultivated. On
01.05.2017, Samim Akhtar forbade to cut the maize crop saying that



he has purchased the land on 26.08.2016 from Om Prakash Jaishwal, while Om Prakash Jaishwal died on 31.05.2005 and in the said land this petitioner claimed to purchase 5 decimals of land on the basis of the forged sale deed putting the fake person in place of Om Prakash Jaishwal.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that the dispute is of civil in nature whether Om Prakash Jaishwal was alive on 26.08.2016 at the time of execution of the sale deed in favour of the petitioner and co-accused Samim Akhtar which could only be decided by the competent Civil Court. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the SDJM, Kishanganj in connection with Dighal Bank P.S. Case No. 52 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

manish/-

U		T	
---	--	---	--

