

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42257 of 2017

Arising Out of PS.Case No. -439 Year- 2016 Thana -KHAZANIHAT District- PURNIA

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1. Mahesh Singh @ Mahesh Kumar Singh, son of Late Purnanand Singh, resident of Mohalla- Sukh Nagar, P.S.- K.Hat, District- Purnea.
 2. Sanoj Kumar Choudhary, son of Late Latil Chaudhary, resident of Mohalla- D.I.G. Chauk, P.S.- K.Hat, District- Purnea.
 3. Birendra Singh @ Birendra Kumar Singh, son of Sri Balram Singh, resident of Mohalla- Shashtri Nagar Madhubani, P.S.- K.Hat, District- Purnea.
 4. Nitesh Kumar Singh son of B.K. Singh, resident of Mohalla- Kapthan Para, P.S.- Sadar, District- Purnea.

.... Petitioners.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

For the Petitioners : Mr. N.K. Agrawal, Senior Advocate and Dr. Bidhu Ranjan, Advocate.

For the State : Mr. Umeshnand Pandit, A.P.P.

For the Informant : Mr. P.K. Mallick, Advocate.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 20-09-2017 Heard learned counsel for the petitioners and the learned A.P.P. for the State as also the learned counsel for the informant.

The petitioners apprehend their arrest in connection with K. Hat P.S. Case No.439 of 2016 registered under Sections 420 and 506 of the Indian Penal Code.

The accusation is that the informant Vijay Kumar Rai, who is Advocate and the member of the District Bar Association,



Purnea Civil Courts, on selling his land of his native village, purchased 17½ Bigha agricultural land in the Municipal area, Purnea, and his name was mutated in the Circle Office, Purnea. Shyam Sundar Pandey, who is also Advocate and member of the District Bar Association, Civil Courts, Purnea, is indulged in running the Mafia for acquiring the land. Shyam Sundar Pandey had greedy eye in respect of his land and he filed an application in the name of Ramnath Ram before the Circle Officer, Purnea and got recorded Jamabandi of his land in the name of Ramnath Ram and, later on, he also got managed to sell the land and put his signature as a witness on the sale deed. When the informant came to know about committing fraud by Shyam Sundar Pandey, he filed an application against Shyam Sundar Pandey and raised grievance before the District Administration. In enquiry, the Circle Officer, Purnea, admitted his guilt.

Learned counsel appearing on behalf of the petitioners submits that it would appear from the F.I.R. that the allegation about indulging in entering the name of Ramnath Ram in Jamabandi regarding the land of the informant is against Shyam Sundar Pandey, who is Advocate and member of the District Bar Association, Civil Courts, Purnea. During investigation, the informant gave his statement under Section 164 of the Code of



Criminal Procedure, in which he further disclosed the name of five persons including the petitioners. Similarly situated co-accused Sanjay Singh alias Sanjay Kumar Singh, whose name has also been disclosed by the informant in his statement recorded under Section 164 of the Code of Criminal Procedure, has already been granted anticipatory bail by a Bench of this Court vide order dated 31.05.2017 passed in Criminal Misc. No.22485 of 2017. The petitioners have no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Purnia, in connection with K. Hat P.S. Case No.439 of 2016, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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