

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6276 of 2018

Arising Out of PS. Case No.-64 Year-2015 Thana- PURUSHOTTAMPUR District- West
Champaran

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Nisar Ahmad @ Nesar Ahmad, Son of Sk. Jehal, Resident of Village-
Bherihari, P.S. -Purushottampur, District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Adv.
For the Opposite Party/s : Mr. J. N. Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-02-2018 Heard learned Counsels for the petitioner and learned APP
for the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 420, 467, 468, 471
and 120B of the Indian Penal Code.

The prosecution case got initiated on the basis of written
report dated 22.11.2015 submitted by Circle Officer, Mainatad
to the Station House Officer, Purushotampur Police Station, is to
the effect that 7.97 acres of the land appertaining to Khata No. 3
with regard to 17 different plots were recorded in the name of
one Ramdas Bairagi. The Jamabandi was created in the name of
Ram Janki Math, Bharbharwa. Subsequently, vide Mutation
Case No. 23 of 1969-70, the Jamabandi of the land in question



was created in the name of the then Priest, Radha Mohan Pandey, the so called nephew of Baba Chatar. Radha Mohan Pandey sold the land to one Sardar Bahadur Rai, who subsequently sold the land in question to the petitioner fraudulently.

It is submitted by learned counsel for the petitioner that that initial Jamabandi was running in the name of Baba Chatar and vide Mutation Case No. 23 of 1969-70, the same was created in the name of Radha Mohan Pandey, the nephew of above mentioned Baba Chatar. It is further submitted that the land in question has still not been transferred in the name of the petitioner, though he is care taker of the land in question at the behest of Sardar Bahadur Rai. Even assuming the accusation, no offence is made out though the petitioner is accused in one other case of petty nature from before.

It is submitted by Mr. J. N. Thakur learned APP for the State that there is specific accusation against the petitioner.

Considering the nature of accusation arising out of civil nature of dispute, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 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 learned
CJM, Bettiah, West Champaran, in connection with
Purushotampur P.S. Case No.64 of 2015, subject to the
conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

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