

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23780 of 2018

Arising Out of PS.Case No. -605 Year- 2015 Thana -GAYA COMPLAINT CASE District- GAYA

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Krishna Paswan, S/o Late Ruplal Paswan, R/o Vill-Chamandih, P.S. Kurtha, Dist.-Arwal. At Present R/o Mohalla-Katari, P.S.-Chandauti, Dist.-Gaya.

.... Petitioner/s

Versus

1. The State of Bihar
2. Chandan Kumar, S/o Sri Mahaveer Prasad, R/o Mohalla-Katari, P.S.-Chandauti, Dist.-Gaya.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Ataur Rahman, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 09-05-2018 Heard learned counsel for the petitioner and the learned counsel appearing on behalf of the State.

The petitioner is in custody since 17.06.2017 in connection with Complaint Case No.605 of 2015 registered for the offence under Sections 417, 419 and 468 of the Indian Penal Code, pending in the court of A.C.J.M.-X, Gaya.

Learned counsel for the petitioner submits that the entire dispute between the parties is civil in nature as Partition Suit No.136 of 2013 has already been filed by the present petitioner Krishna Paswan. It is further submitted that the complainant by making false and frivolous allegation has instituted several cases implicating the petitioner regarding



illegal sale of land, though the complainant has also admitted that his father Mahabir Paswan had made certain sale earlier. So far as the present allegations are concerned, the same can well be resolved by a court of competent jurisdiction and only after determination of the rights of the parties in the partition suit.

In view of the aforementioned facts and circumstances, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-X, Gaya, in connection with Complaint Case No.605 of 2015.

(Anjana Mishra, J)

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