

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50759 of 2017

Arising Out of PS.Case No. -1358 Year- 2012 Thana -MADHEPURA COMPALINT CASE
District- MADHEPURA

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NIRAJ KUMAR @ NIRAJ KUMAR MISHRA, resident of village- Uda-Kishunganj, P.S. Uda-Kishunganj, District-Madhepura
(Deed writer, Registry Office, Uda-Kishunganj, District-Madhepura)

.... Petitioner/s

Versus

1. State of Bihar
2. Chhotelal Choudhary, S/o Late Bacchi Choudhary, village-Kathela, P.S. Kharik, District-Bhagalpur, presently resident of village-Ajgaiba, P.S. Chousa, District-Madhepura

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar

For the Opposite Party/s : Mr. Sri Murlidhar

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 07-03-2018 The case of the complainant Chhotelal Choudhary is that when the complainant has gone to plough his land, he was stopped from doing the same by the accused persons namely Ganesh Sharma on the pretext that he had got the said land registered in his name by a deed executed by the complainant. It is further allegation of the complainant that he had not executed any sale deed.

The learned counsel for the petitioner submits that as far as the petitioner herein is concerned, he is neither the seller nor the purchaser but only a deed writer and has been falsely implicated in the present case. It is further submitted that the complainant has also filed a civil suit and the allegation levelled in the present case can at best be said to be a civil dispute for which the remedy lies



before a court of competent civil jurisdiction.

Per contra, the learned counsel for the informant has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, I deem it fit and proper to make the order dated 09.11.2017 passed by this Court absolute, by which the petitioner was directed to be released on provisional bail.

The bail petition is disposed off.

(Mohit Kumar Shah, J)

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