

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9501 of 2018

Arising Out of PS. Case No.-466 Year-2016 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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1. Lakhpatia Devi @ Lakhpatiya Devi, W/o Anutha Ram,
2. Pulindra Ram @ Polendra Ram S/o Anutha Ram,
Both R/o Village- Kamaldah Tole Bisanpur, P.S.- Bathnaha,
District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Sudhakar Jha, S/o Late Pandit Ram Jha, Present Resident of Mohalla-
Shankar Chowk, Amghatta, Road, Ward No. 1, P.S.- Dumra, District-
Sitamarhi.

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 19-02-2018 Heard learned Counsels for the petitioner and learned APP
for the State.

The petitioner is apprehending arrest in a complaint case filed with accusation registered for the offences punishable under Sections 166, 167, 467, 468, 471 and 120B of the Indian Penal Code, wherein, process has been directed to be issued after cognizance being taken.

The prosecution case is that one Kaladhar Jha being the owner of the land, appertaining to Khata No.110, Plot No.167, measuring an area 12 decimals, executed two registered sale deeds in favour of Methur Baitha and Budhan Baitha for 6 decimals each on 17.07.2012 and 08.10.2014 respectively. The



complainant got an exchange of deed executed with regard to the land in question from Methur Baitha and Budhan Baitha on 27.02.2015, but by mistake the plot number was wrongly mentioned in the said exchange deed, as a result, the complainant's name could not be mutated.

It is submitted by learned counsel for the petitioner that the deed of exchange is not related to the land in question, hence, on enquiry the Circle Officer rejected the claim of the complainant for mutation. The petitioner claimed to have purchased the land in question on 6.02.2015 prior to execution of deed of exchange dated 27.02.2015. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

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

Considering the accusation levelled in the background of civil nature of dispute, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, 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, Sitamarhi in connection with Complaint Case No.C1-466/2016, 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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