

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6257 of 2019

Arising Out of PS. Case No.-444 Year-2017 Thana- PATNA COMPLAINT CASE District-
Patna

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RANJEET KUMAR PATHAK Ajay Shankar Pathak Resident of Morcha Gali
Chand Chaura

... .. Petitioner/s

Versus

1. The State of Bihar
2. Neelam Devi Shiv Nandan Singh Resident of Sindhpur, P.S. Banke Bazar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shivendra Prasad
For the Opposite Party/s : Mr.Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 30-04-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Complaint Case no.444(C) of 2017 , registered for offences punishable under Sections 420,467, 468 and 120 of the Indian Penal Code.

Prosecution as per the complaint petition is that the complainant has purchased 3 ½ katha of land in plot no.937 (old) and 1485 of (new) from the petitioner and other accused persons and after purchase the sale deed was executed in the year, 2014 and thereafter when the complainant reached to construct boundary wall, he was protested by some one and thereafter he verified and found that the land is not of the



petitioner.

Submission of the learned counsel for the petitioner is that he has purchased the land and executed the sale deed as the mutation is in the name of the petitioner and after two years, the present case has been filed and no details have been mentioned as to who protested the construction of the pillar.

Heard learned A.P.P. and the learned counsel for the O.P.no.2. They have opposed the prayer for bail stating that actually the land is in the name of another person and the subsequent purchase are on the basis of power of attorney, which is not genuine .

Having heard both sides and in view of the facts and circumstances, as stated above, the provisional bail granted to the petitioner in connection with Complaint Case No.444(C) of 2017 by order dated 12.3.2019 passed in the instant case is affirmed.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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