

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11664 of 2019

Arising Out of PS. Case No.-768 Year-2013 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Ajay Tiwari, aged about 45 years, Male, S/o Late Mansha Tiwari, Resident of
Village-Thakraha, Tola Nautan, P.S-Thakraha, Distt.- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chunnu Tiwari, aged about 21 years, Male, Son of Late Sharma Tiwari
Resident of Village - Thakraha, Tola Nautan, P.S.- Thakraha, Distt.- West
Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Lalan Kumar Verma
For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 26-02-2019 Heard both sides.

Petitioner apprehends his arrest in Complaint Case No.
C 768 of 2013, registered under Sections 420, 323 and 504 of the
Indian Penal Code.

The complainant alleged that the petitioner executed
two sale deeds to Santosh Tiwari with regard to land of Khata
No.347, Plot No.1835, Area 4 Katthas 1 Dhur on 26.06.2013. The
complainant further alleged that he inquired about the sale deed
from Santosh Tiwari who asked the complainant to execute the
sale deed with regard to 1 Kattha land and the complainant
executed the sale deed in favour of Santosh Tiwari on assurance
that Santosh Tiwari would rescind the two sale deeds executed by



the petitioner in his favour but Santosh Tiwari did not get the two sale deeds rescinded in accordance with law.

Learned counsel for the petitioner submits that the petitioner is the owner of the land. There is bona fide land dispute between the petitioner and the complainant. Petitioner executed the sale deed in favour of Santosh Tiwari. The complainant earlier lodged Thakraha P.S. Case No.93 of 2014 under Sections 420, 467, 468, 471, 504, 506 and 120(B)/34 of the Indian Penal Code in which the petitioner has already been granted bail.

Taking into consideration the facts aforesaid and the fact that it appears to be a civil dispute, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of this order, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Bagaha (West Champaran) in connection with Complaint Case No. C 768 of 2013, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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