

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53619 of 2019

Arising Out of PS. Case No.-1802 Year-2017 Thana- MUZZFARPUR COMPLAINT CASE
District- Muzaffarpur

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1. Jahnavi Shekhar Bhatt Son of Late Madhav Prasad Bhatt, Resident of Village-Bharthua, P.S.-Aurai, District-Muzaffarpur.
 2. Jay Shankar Bhatt Son of Late Madhav Prasad Bhatt, Resident of Village-Bharthua, P.S.-Aurai, District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ramesh Mandal Son of Late Ramanand Mandal, Resident of Village and Post-Bharathua, P.S.-Aurai, District-Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar Singh
For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 27-08-2019 Heard both sides.

Petitioners apprehend their arrest in Complaint Case No.1802 of 2017 for the offences allegedly committed by the petitioners under Sections 406 and 420 of the Indian Penal Code.

The complainant alleged that he purchased 11 decimals land of R.S. Plot no.1072, khata no.53 from petitioner no.1 in the year 2002 after payment of entire consideration amount through registered sale deed but when the complainant went for mutation of the land, the Circle Officer refused to mutate the land in the name of complainant disclosing that in



partition suit held in Lok-Adalat, petitioner no.1 got only 5 ½
dismissal of land in his share in R.S. Plot no.1072.

Learned counsel for the petitioners submits that the
petitioners got the entire lands in their share and nobody has
come forward to claim the lands of the petitioners. The
petitioners have not cheated the complainant. The dispute is of
civil nature.

Having considered the facts aforesaid and the fact that
the dispute is of civil nature, the above named petitioners, in the
event of their arrest or surrender before the learned court below
within a period of four weeks from the date of
receipt/production of a copy of this order, are directed to be
enlarged on bail on furnishing bail bonds of Rs.10,000/- (Ten
thousand) each with two sureties of the like amount each to the
satisfaction of learned A.C.J.M. 13th, Muzaffarpur in connection
with Complaint Case No.1802 of 2017 corresponding to Tr.
No.2209 of 2019, subject to the conditions as laid down under
Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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