

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57661 of 2019

Arising Out of PS. Case No.-114 Year-2018 Thana- TERHAGACHH District- Kishanganj

Arun Kumar Pandey, Son of Bindeshwari Pandey Resident of Postal Colony No.2, South of Rajendra Stadium, Dahiyawan Chapara, District- Chapara (Saran), at present Rajaswa Karmchari Matiyari Panchayt, Anchal-Terhagachh, P.S.- Terrhagachh, District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Singh

For the Opposite Party/s : Mr.Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 13-09-2019 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Terhagachh P.S. Case no. 114 of 2018, registered under Sections 420, 467, 468, 471 and 506/34 of the Indian Penal Code.

The accusation is that Plot Nos. 1684, 1687, 1688, 1692, 1693, 1685, 1686 and 1671 of Khata No. 376 of village – Belbari Khagra was in the name of Sheikh Chiku, grandfather of the informant Md. Nauzir Alam, who died leaving behind his son Md. Tahmid Hussain and two daughters Late Sahnaz Begum and Tajmuja Begum. Since, his father Md. Tahmid Hussain is ill due to that reasons, informant used to look after



the cultivation. On 01.10.2018, when informant went on his field then saw Quaium, Md. Kajim, Nikhat Praveen, Sofid Alam, Usman and others named in the F.I.R. were moving around his field, when informant made inquiry then they told that they have purchased the land from co-sharers. On protest, quarrel took place then villagers asked to show sale deed then they showed sale deed No. 3142 and 3143, dated 04.04.2018 and sale deed No. 7009 and 7010, dated 06.07.2018. On seeing the same, he came to know that Md. Kajim Hussain, Qaum and Nikhat Parveen showing the name of their father Sheikh Chiku sold eight bigha of land to other accused named in the F.I.R. On inquiry from Circle Office, he also came to know that this petitioner had issued rent receipt in the name of Chiku, grandfather of the petitioner to that persons.

Learned counsel for the petitioner submits that petitioner is not the beneficiary of the alleged sale deeds, only allegation is that this petitioner being the Halka Karamchari issued the rent receipt in the name of Chiku, grandfather of the informant, which was in the possession of co-accused named in the F.I.R.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the



event of his arrest or surrender before the learned Court below within a period of four 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 Judicial Magistrate, 1st Class, Kishanganj in connection with Terhagachh P.S. Case No. 114 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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