

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.19574 of 2018**

Arising Out of PS. Case No.-143 Year-2017 Thana- RAJIVNAGAR District- Patna

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Arun Kumar Son of Late Ram Lakhan Sharma, Resident of 5/6, North S.K. Puri, P.S.- Shri Krishnapuri, Patna- 800013.

... .. Petitioner

Versus

1. The State Of Bihar
2. Shashi Kumar,
3. Sunil Kumar, Sons of Gurudeo Prasad Barnwal,
4. Priti Kumari, Wife of Shashi Kumar, All residents of Mohalla- Rajeev Nagar Jay Prakash Nagar, Road No.3, North of Nala, P.S.- Rajeev Nagar, Patna- 800025.

... .. Opposite Parties

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with

**CRIMINAL MISCELLANEOUS No. 22973 of 2018**

Arising Out of PS. Case No.-143 Year-2017 Thana- RAJIVNAGAR District- Patna

=====

Arun Kumar Son of late Ram Lakhan Sharma Resident of 5/6, North S.K. Puri, P.S. Shri Krishnapuri, Patna-800013

... .. Petitioner

Versus

1. The State Of Bihar
2. Nityanand Prasad Singh Son of late Sadhu Sharan Singh
3. Shyam Jivan Kumar Son of Nityanand Singh
4. Usha Kumari Wife of Shyam Jivan Kumar All Resident of Mohalla-Rajeev Nagar jay Prakash Nagar,, Road No. 3, North of Nala, P.S. Rajeev Nagar, Patna-800025

... .. Opposite Parties

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**Appearance :**

(In CRIMINAL MISCELLANEOUS No. 19574 of 2018)

For the Petitioner/s : Mr.Arvind Kumar

For the Opposite Party/s : Mr. Shyam Kumar Singh

(In CRIMINAL MISCELLANEOUS No. 22973 of 2018)

For the Petitioner/s : Mr.Arvind Kumar

For the Opposite Party/s : Mr.Ramchandra Sahani

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

9      24-06-2019      The petitioner in both the cases has come under



Section 340(2) of the Code of Criminal Procedure stating that he has filed Rajeev Nagar P.S.Case No. 143 of 2017 on the ground that the petitioner is the Secretary of Jai Prakash Nagar Sahkari Grih Nirman Samiti Ltd., Patna and on two plots of land situated at Rajeev Nagar there was construction of house and he found that opposite party No.2 to 4 on the basis of two Mokhtarnamas tried to grab the aforesaid plots and both the Mokhtarnamas are forged and fabricated.

Further case of the petitioner is that opposite party Nos. 2 to 4 in both the cases have filed anticipatory bail applications being A.B.P. Nos. 4197 of 2017 and 5643 of 2017 in which they have produced the forged sale deed claiming to be registered in the office of District Sub-Registrar, Patna and the power of attorney and considering the same learned Additional Sessions Judge-XIII has granted anticipatory bail to them and petitioner has filed objection in both the cases under Section 340(1) Cr.P.C., which is still pending and no order under the said proceeding has been passed.

Heard learned APP and learned counsel for the opposite parties in Cr.Misc.No. 19574 of 2018 and none appears on behalf of opposite parties in Cr.Misc.No. 22973 of 2018. A report from the ADJ-XIII was called for and it appears from the



report that no order has been passed in the applications filed by the petitioner.

Considering the aforesaid facts and circumstances, without going into the merit of the case, both the applications are disposed of with a direction to the learned Additional Sessions Judge-XIII, Patna to pass order on the petition filed by the petitioner in accordance with law, after hearing parties in both the cases.

**(Vinod Kumar Sinha, J)**

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