

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24343 of 2020

Arising Out of PS. Case No.-308 Year-2019 Thana- BALIYA District- Begusarai

BIJAY JHA @ VIJAY JHA Son of Late Aditya Jha Resident of Village -
Lakhminiya, P.S.- Ballia, Dist.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 06-10-2020 Heard Mr. Shubhesh Pandey, learned counsel for the

petitioner and Mr. Md. Nazir Ansari, learned Additional Public

Prosecutor appearing for the State through video conferencing.

Petitioner apprehends his arrest in connection with
Ballia P.S. Case No. 308 of 2019 registered for the offence
punishable under Section 406 / 420 / 467 / 468 / 120 (B) / 471 /
34 of the I.P.C.

The allegation against the petitioner is that the
petitioner executed a sale deed of a piece of land vide deed no.
1048 belonging to the informant situated in Khata No. 779,
Khesra Nos. 1075 and 1076 having an area of 7 Bigha 4 Katha
14 Dhur.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case inasmuch as



the petitioner is the bonafide seller of the land in question by virtue of a registered sale deed. He further submits that the land belongs to the family of petitioner and the fore-fathers of the petitioner had sold 4 Bighas 10 Kathas and 10 Dhurs of land in favour of maternal grand father of the informant on 08.10.1960. He further submits that Khata No. 779 is having a total area of 39 Bighas and the petitioner has sold only 01 Bigha of land, which remained in possession of ancestors of the petitioner. He further submits that the petitioner has falsely been implicated in this case with oblique motive in order to put pressure on him. He further submits that from perusal of First Information Report it appears that the allegation against the petitioner at best gives rise to civil dispute and as such the petitioner deserves the privilege of anticipatory bail.

Having heard learned counsel for the parties and taking into consideration the materials available on record and the fact that petitioner has sold the land in question by virtue of registered sale deed, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, in the event of arrest or surrender before the court below within six weeks from today, petitioner, above named, shall be released on anticipatory bail on furnishing bail



bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Begusarai / court concerned in connection with Ballia P.S. Case No. 308 of 2019 subject to the condition as laid down under Section 438 (2) of the Code Of Criminal Procedure.

It is made clear that at the time of furnishing bail bond all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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