

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24329 of 2020

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

RAJENDRA MAHTO Son of Late Kamaldhari Mahto Resident of Village -
Sanha Naya Tola, P.S.- Sahebpur Kamal, 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 : Ms. Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 29-09-2020 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor representing the State, through
Video Conferencing.

The petitioner apprehends his arrest in connection
with Ballia Police Station Case No. 308 of 2019, registered for
the offences punishable under Sections 406/420/467/468/120-
B/471/34 of the Indian Penal Code

The allegation against the petitioner is that the
petitioner purchased a piece of land, vide deed no. 1048, from
co-accused Vijay Jha, belonging to the informant, situated in
Khata No. 779, Khesra Nos. 1075 and 1076, having an area of
one bigha.

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



the petitioner is the bonafide purchaser of the land in question from its rightful owner by virtue of a registered sale deed. He further submits that the land belongs to the family of Vijay Jha and the fore-fathers of Vijay Jha had sold 04 bighas 10 kathas and 10 dhurs of land in favour of 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 purchased only one bigha of land, which remained in possession of ancestors of Vijay Jha, i.e. the vendor 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 privilege of anticipatory bail.

After having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that the petitioner has purchased the land in question by virtue of registered sale deed, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is allowed.

Accordingly, let the petitioner, above named, be



released on bail, in the event of his arrest or surrender before the Court below within a period of six weeks from today, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai, in connection with Ballia Police Station Case No. 308 of 2019.

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

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---

