

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13025 of 2020

Arising Out of PS. Case No.-349 Year-2019 Thana- KHAIRA District- Jamui

KAILASH PANDIT S/o - Late Ram Swarath Pandit Resident of Village- Barh
Banarsi ghat near Jagarnath High School, Ward No. 16, P.O. and P.S.- Barh,
District- Patna.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner : Mr. Rakesh Ranjan, Advocate.
For the State : Ms. Anita Kumari Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

9 06-04-2021 Heard learned counsel for the petitioner and the learned
A.P.P. for the State, through Video Conferencing.

The petitioner apprehends his arrest in connection with
Khaira P.S. Case No.349 of 2019 registered under Sections 467, 468,
471, 419 and 420 of the Indian Penal Code.

The accusation is that on the basis of the application of the
complainant Din Dayal Sah, inquiry was made from the Revenue
Clerk, who reported that in village-Sokho, Plot No.1414 area 17.17
acres of Khata No.46 is Gair Mazura Malik land regarding which the
then Revenue Clerk Kailash Pandit (petitioner) without proper order
of the competent authority created Jamabandi No.31 in respect to
3.05 acres land of Plot No.1414 and issued Rent Receipt No.391417
for the year 2012-13 in the name of Dagru Sah, son of Guddu Sah.

Learned counsel for the petitioner submits that, in fact, the



Rent Receipt, as detailed in the F.I.R., was issued by the petitioner being the Revenue Clerk on the basis of creation of Jamabandi for the year 1975-76. Letter No.1019 issued by the S.D.M., Jamui to the Collector, Jamui, which is part of the case diary, discloses that Jamabandi No.314/1975-76, which had been created, appears to be forged. As such, the petitioner has not committed any bonafide mistake in issuing the Rent Receipt No.391417 for the year 2012-13 in the name of Dagru Sah, son of Guddu Sah, in respect to 3.05 acres land of Plot No.1414 of Khata No.46.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Jamui, in connection with Khaira P.S. Case No.349 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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