

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1287 of 2021

Arising Out of PS. Case No.-52 Year-2020 Thana- KHAJAULI District- Madhubani

PAWAN KUMAR SINGH @ SAROJ KUMAR SAROVAR Son of
Ramashish Singh Resident of Village - Korahiya, P.S.- Jaynagar, Distt.-
Madhubani.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Ranjeet kumar singh S/o- Mahendra prasad singh, Vill- Sukhi, P.S. Khajauli,
Dist Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ravi Prakash
For the Opposite Party/s	:	Mr. APP
For the O.P. No. 2	:	Mr. Saroj Kumar

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 26-10-2021 Heard Mr. Gagan Deo Yadav, the learned counsel

for the petitioner and Mr. Saroj Kumar, the learned counsel

for the informant/ opposite party no. 2. The State is

represented by the learned APP.

The petitioner seeks bail in anticipation of his

arrest in connection with Khajauli P.S. Case No. 52 of 2020

instituted for the offences under Sections 420, 406, 341,

323, 307, 379, 504, 506 and 34 of the Indian Penal Code.

It has been alleged in the First Information

Report that the petitioner had agreed to transfer a plot of

land in favour of the informant after accepting money. The



petitioner is alleged to have dilly-dallied in transferring the land to the informant. In an occurrence which ensued thereafter, the informant is said to have been assaulted and he has received injuries, one of which has been reported to be dangerous.

Mr. Yadav, the learned counsel for the petitioner has submitted that there is a counter version of the occurrence and he too has received injuries in the transaction.

There has been a huge delay in lodging the First Information Report with no explanation.

It has also been submitted that the dispute arose because of a complaint regarding encroachment of the public land. Assuming but not admitting all other accusations, if at all the occurrence took place with respect to sale and purchase of land, the offence falls on the domain of civil dispute. The injuries suffered by the informant are all by hard and blunt substance and reported to be simple in nature except injury no. 2. Looking at the dimensions of the injury no. 2, it does not appear to be a life threatening



injury.

Mr. Saroj Kumar, the learned counsel for the opposite party no. 2, however, submits that the petitioner has neither returned the money which he had received in front of the witnesses nor has transferred the land. On the contrary, he and one of his associates have also been assaulted by the petitioner and his associates.

However, regard being had to the fact that there is a dispute between the parties with respect to sale and purchase of land and there is a counter version of the occurrence and taking into account the nature of injuries, the provisional bail granted to the petitioner by order dated 02.07.2021, is hereby confirmed. He shall remain on the same bail bonds.

The application stands disposed of accordingly.

(Ashutosh Kumar, J)

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