

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32003 of 2021

Arising Out of PS. Case No.-1398 Year-2012 Thana- COMPLAINT CASE District- Jamui

PRAKASH MAHTO S/O BANARAS MAHTO R/o village- Sandh Maph,
P.S.- Halsi, District- Lakhisarai, At present Resident of- Krishnapatti, P.S. and
District- Jamui

... .. Petitioner

Versus

1. THE STATE OF BIHAR
2. KRISHNA RAM S/O LATE GIRJA RAM R/o village- Krishnapatti, P.S.
and District- Jamui

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rabi Bhushan
For the Opposite Party/s : Mr.Ramchandra Singh

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

6 22-08-2022 Learned counsel for the petitioner is directed to remove

all the defects pointed out by the Stamp Reporter within one

month.

Heard learned counsel for the petitioner as well as

learned counsel for the complainant.

The petitioner apprehends his arrest in connection

with Complaint Case No. 1398 C of 2012, registered for the

offences punishable under Sections 341, 504, 379, 420, 467 of

the Indian Penal Code.

As per allegation, the mother of the complainant

Shanti Devi has purchased the land in question in the year 1970

from the Kabutari Devi. The said Kabutari Devi executed



another sale deed in the year 2012 in favour of the present petitioner and when the complainant went to the disputed land the petitioner assaulted him.

Learned counsel for the petitioner has submitted that it is a pure civil dispute. The complainant as well as the petitioner both are claiming the same land on the basis of sale deeds. A title suit has been instituted by the complainant which is still pending for its adjudication.

Learned counsel for the complainant has opposed the prayer for the bail of the petitioner and submitted that the petitioner knowingly purchased the same land which was purchased by the mother of the complainant in the year 1970.

It appears to be a matter of civil nature. Admittedly, title suit is still awaiting its final adjudication.

Considering the above mentioned facts and circumstances, let the petitioner, in the event of his arrest or surrender within four weeks before the learned court below, 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 Judicial Magistrate, 1st Class, Jamui in connection with Complaint Case No. 1398 C of 2012, subject to the conditions as laid down under Section 438 (2)



Cr.P.C.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

niku/sonali/-

U		T	
---	--	---	--

