

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35427 of 2021

Arising Out of PS. Case No.-394 Year-2020 Thana- BIKRAMGANJ District- Rohtas

HARENDRA PATHAK Son of Late Venkatesh Pathak Residen of Village -
Khaira Bhudhar, P.S. - Bikramganj, District - Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sada Nand Roy, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 05-01-2022 Heard Mr. Sada Nand Roy, learned counsel for the

petitioner and Mr. Nawal Kishore Prasad, learned Additional

Public Prosecutor appearing for the State through video

conferencing.

Petitioner seeks regular bail in connection with

Bikramganj P.S. Case No. 394 of 2020 registered for the offence

punishable under Sections 467, 468, 471 and 420 of the Indian

Penal Code 1860.

The allegation as per the First Information Report is

that the land bearing Khata No.2 Holding No. 275/2, Area 3

Acre 81 decimal is recorded in the joint name of Shri Dwarika

Pathak, Mundrika Pathak, Krishna Pathak and Laxmi Narayan

Pathak and the informant came to know that the petitioner sold

4 katthas of land of the informant through sale deed No.



3090/20, 3091/20 and 3092/20 in favour of Sanjay Chaudhary, Smit. Dhanmala Devi and Pappu Kumar respectively.

Learned counsel for the petitioner submits that the petitioner is owner of the land which has been sold in favour of three persons by a separate sale deed and referring to paragraph-8 of the petition he submits that Parsuram Pathak had three sons namely, Venkatesh Pathak, Baban Pathak and Lalan Pathak. The petitioner is son of Venkatesh Pathak and his cousins are Raghvendra Pathak, Ravi Prakash Pathak, Ved Prakash Pathak and Abhishek Pathak. Learned counsel further submits that Raghvendra Pathak who is Advocate making plan to grab the land of the petitioner. He next submits that the land which has been sold by the petitioner is recorded in the revenue records in the name of the petitioner which would be evident from Annexure 3 to the petition. The petitioner is cousin of the informant and a title suit is pending between the parties bearing Title Sit No. 52 of 2016 in which the petitioner is Defendant No. 1.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that the petitioner is claiming the ownership of the land in question for which a Title Suit is pending between the parties



and the petitioner is in custody since 15.02.2021, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, Bikramganj, Distt. Rohtas, in connection with Bikramganj P.S. Case No. 394 of 2020.

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)

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