

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59705 of 2021

Arising Out of PS. Case No.-1638 Year-2015 Thana- KATIHAR COMPLAINT CASE
District- Katihar

SHIV NARAYAN THAKUR Son of Late Jivan Thakur, Resident of Village -
Nawabganj, P.S.- Manihari, Distt.- Katihar. Petitioner/s
Versus

1. The State of Bihar
2. Jay Prakash Narayan Singh Son of Late Bajrangi Singh, Resident of Village
- Nawabganj, P.S.- Manihari, Distt.- Katihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh
For the Opposite Party/s : Ms.Anita Kumari Singh

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

ORAL ORDER

2 12-07-2022 The learned counsel for the petitioner is directed to
remove all the defects pointed out by the office within one month.

Heard the learned counsel for the petitioner as well as the
learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with
Complaint Case No. 1638 of 2015 registered for offence
punishable under sections 420, 467 and 468 of the Indian Penal
Code.

As per allegation, the petitioner had encroached the land
of one Smt. Subodhani Devi, who inherited the dispute land from
her father Late Babulal Singh.

The learned counsel for the petitioner has submitted that
it is a dispute of civil nature and said Babulal Singh had given that
land to the present petitioner and they are coming in possession



over the disputed land. He has submitted further that in Land Dispute Case No. 123/14-15, D.C.L.R., Manihari, vide his order dated 19.03.2012, had held the possession of the petitioner over the dispute plot. That order has been annexed as Annexure-2 to the bail petition.

Considering the above-mentioned facts and circumstances, it appears to be a case of civil nature, as such, the petitioner above-named, in the event of his arrest or surrender, within four weeks from today, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Katihar in connection with C.A. Case No. 1638 of 2015, subject to condition 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 mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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