

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58931 of 2017

Arising Out of PS. Case No.-158 Year-2007 Thana- BAIKUNTHPUR District- Gopalganj

Rudal Prasad Son of Late Shyamdeo Prasad, Resident of Village- Reotith,
P.S.- Baikunthpur, District- Gopalganj, Bihar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indrajeet Bhushan, Advocate

For the Opposite Party/s : Mr. Sri Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-12-2023 1. Heard learned counsel for the petitioner and learned
APP for the State.

2. Learned counsel for the petitioner submits that a purely civil dispute has been given a criminal colour. It is next submitted that informant with a view to grab the land of the petitioner got the present false case instituted. It is also submitted that petitioner is purchaser of a land from Amarnath Sah and informant has also purchased a piece of land from Jagdeo Singh. It is next submitted that from perusal of the sale deed executed by Amarnath Sah in favour of the petitioner it would appear that in the boundary the name of the informant is mentioned which amply demonstrates that the land which the petitioner and the informant bought from two different land owners are adjacent, it is thus submitted that the informant with



a view to grab the said land of the petitioner got the present false case instituted.

3. Learned APP for the State, Mr. Chandra Bhushan Prasad submits that presently the order of cognizance is under challenge and what has been submitted by the learned counsel for the petitioner the same should be canvassed at the time of framing of charge.

4. Learned counsel for the petitioner thus seeks permission to withdraw the quashing application with liberty to raise all issues at the time of framing of charge.

5. Permission is accorded.

(Satyavrat Verma, J)

Adnan/-

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