

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28669 of 2023

Arising Out of PS. Case No.-610 Year-2021 Thana- PATNA COMPLAINT CASE District-
Patna

=====

NAVIN RAJ @ NAVIN KUMAR @ NAVIN KUMAR SINGH S/O LATE
TANIK PRASAD SINGH @ TALESHWAR PRASAD SINGH @ TANIK
SINGH Resident of Village- Lakhanchand, Ward No.- 25, P.S.- Mokama,
District- Patna.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. DILIP KUMAR SINGH S/O LATE LAXMAN PRASAD SINGH Resident
of Village- Lakhanchand, P.S.- Mokama, District- Patna.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate
For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 12-09-2023 1. Heard learned counsel for the petitioner, learned

APP for the State and learned counsel for the Opposite Party
no.2.

2. The petitioner in this application prays for
anticipatory bail apprehending his arrest in connection with
Complaint Case no.610C/2021 registered for the offence
punishable under sections 420, 467, 468, 471, 120B, 167, 423,
465, 466, 474 of the Indian Penal Code and under section 82 of
the Registration Act wherein cognizance has been taken under
section 420, 468 and 120B of the Indian Penal Code.

3. As per the prosecution case, it is stated that



taking the computer operator in conspiracy, the accused persons including the petitioner herein got the land in question illegally mutated in his name and sold the same.

4. Learned counsel for the petitioner submits that from perusal of the contents of the complaint itself, it would transpire that the allegations are purely civil in nature. The criminal case has been lodged only for the reason to pressurize the petitioner in giving up his claim. As per the petitioner's case, the parties are the descendants of the common ancestors and the order of the Circle Officer so called correcting the mutation which was earlier in favour of the petitioner/accused persons has been challenged although that statement is not on record. The petitioner has no criminal antecedent.

5. The application for bail is opposed by learned A.P.P. for the State and learned counsel for the Opposite Party no.2. It is submitted by learned counsel appearing for the Opposite Party no.2 that taking the computer operator in the office of the Circle Officer in collusion, the accused persons illegally got their name mutated which on realising the same, the Circle Officer corrected the mistake. It is further submitted that the accused persons do not belong to the family of the complainant. The accused persons/petitioner has executed



several sale deeds under different names selling the land belonging to the complainant.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation as borne out from the complaint which relates to mutation/title etc. with respect to the lands in question, the Court is inclined to allow the instant application.

7. In the facts of the case, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Complaint Case no.610C/2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Barh, Patna.

(Partha Sarthy, J)

Saurabh/-

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

