

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48200 of 2023

In
CRIMINAL MISCELLANEOUS No.69247 of 2022

Arising Out of PS. Case No.-1903 Year-2019 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Jagat Narayan Rao Son Of Late Ramdev Rao Resident Of Village -Laukariya,
Ps- Bairiya, Distt- West Champaran, Presently Resident Of Village -
Naurangabagh, Forest Road, Ward No. 32, Ps- Bettiah Town, Distt- West
Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sunaina Devi Wife Of Sri Lalan Mukhiya Resident Of Village -Basantpur,
Ps- Sathi, Distt- West Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Satyendra Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 03-11-2023 Heard Mr. Abhishek Kumar, learned counsel

appearing on behalf of the petitioner and Mr. Satyendra Prasad,

learned A.P.P. for the State.

2. Vide order dated 17.05.2023, following directions

were passed in paragraph nos. 7, 8 and 9 of the Criminal

Miscellaneous No. 69247 of 2022:

*“7. Having considered the rival submissions
made by the parties, there is remedy under the Act before
the Civil Court for cancellation of sale deed. However, in
the present case the petitioner has fraudulently executed
subsequent sale deed with respect to the same piece of land
which was already sold to one Sunil Kumar. The petitioner
is directed to file a detailed affidavit along with regular bail
application before the Court below bringing on record all
the sale deeds which he executed as well as the number of
case pending against him within a period of six weeks.*



8. In the meantime, no coercive step shall be taken against the petitioner in connection with Complaint Case No. 1903-C of 2019 pending in Court of learned Judicial Magistrate, 1st Class, Bettiah, West Champaran.

9. If the Court below is satisfied that no forgery has been committed by the petitioner then in that case petitioner is directed to be released on pre-arrest bail on such terms and conditions as the Court below deems it fit and proper and subject to the condition laid down under Section 482(2) Cr.P.C.”

3. Learned counsel appearing on behalf of the petitioner seeks for extension of time as due to unavoidable circumstances, he was not in a position to carry on the order within the specified period of six weeks in terms of order dated 17.05.2023 passed in Criminal Miscellaneous No. 69247 of 2023.

4. Considering the reason stated in the modification application and the affidavit, the time is further extended for a period of six weeks. Other part of the order shall remain intact.

5. In case of failure to abide by the order, the learned Court below will take appropriate legal action along with the Superintendent of Police, West Champaran.

6. Accordingly, the present modification application is disposed of.

(Purnendu Singh, J)

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