

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5852 of 2024

Arising Out of PS. Case No.-2362 Year-2022 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Nawal Kishore Pandey @ Nawal Kishor Pandey S/O Late Jugeshwar Pandey
Village- Dumra, Ps. Kotwa, Dist. East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nirala Kumar Pandey S/O Nawal Kishore Pandey Village- Dumra,
Ps.Kotwa, Dist. East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv
For the Opposite Party/s : Mr. Umeshanand Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 17-02-2024 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

2. The accused / petitioner is named in the complaint
and apprehending his arrest in Complaint Case no. 2362 of
2022 for the offences punishable under Section 120B, 465, 341,
323, 420/34 of the Indian Penal Code.

3. The allegation against this petitioner is to cheat the
complainant as he sold property falls under the category of
“Gairmajarua” land on the basis of forged document, which
was claimed by complainant as his own property.

4. Learned counsel for the petitioner submitted that



due to family dispute, the present complaint case was lodged where Opposite Party no. 2 is son of the petitioner. It is also pointed out that on the instance of opposite party. no. 2, several complaint cases were lodged against the petitioner and all such litigation started mainly after solemnization of second marriage by opposite party no. 2. It is further pointed out that Title suit no. 425 of 2021 is also pending between the parties. It is also pointed out that just to grab the land of father/ petitioner, the present false case was lodged by opposite party no. 2. While concluding the argument, learned counsel for the petitioner submitted that petitioner and opposite party no. 2, being father and son appears co-sharer of the property.

5. Learned APP for the State opposes the prayer of bail.

6. In view of the aforesaid fact and circumstances and by taking note of fact as the petitioner is one of the co-sharer of the property being father, the above named petitioner, in the event of his arrest or surrender within a period of four weeks, is directed to be released on bail furnishing bail bond of Rs. 10,000 (Rupees Ten Thousand) each with two sureties of the like each to the satisfaction of the learned Sub- Divisional Judicial Magistrate, Sadar, East Champaran at Motihari in



connection with Complaint Case No. C-2362 of 2022, Subject
to the conditions as laid down under Section 438(2) of the
Cr.P.C.

(Chandra Shekhar Jha, J)

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