

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20795 of 2023

Arising Out of PS. Case No.-62 Year-2022 Thana- SURSAND District- Sitamarhi

SUDHIR KUMAR JHA SON OF LATE KASHI KANT JHA R/O
SHREEKHANDI BHITTA, P.S.- SURSAND, DISTRICT- SITAMARHI-
843331, BIHAR

... .. Petitioner/s

Versus

1. The State of Bihar
2. PRAKASH KUMAR JHA SON OF LATE VIJAY KANT JHA @ TARA
KANT JHA R/O VILLAGE- MAKUNAHYA, P.S.- SURSAND,
DISTRICT- SITAMARHI, BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vishal Kumar Singh
For the Opposite Party/s : Mr.Uday Chand Prasad

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

ORAL ORDER

9 23-07-2024 Heard.

2. The present application has been filed for
cancellation of order dated 19-01-2023 passed in 51572 of 2022
by which, the opposite party No. 2 was granted anticipatory
bail.

3. It is an admitted fact that both the parties are lineal
descendants of the same common ancestor. Both of them are
claiming their right and title over the disputed property. The
petitioner claims his title on that land on the basis of partition
which had taken place between the parties in the year, 1964
whereas the opposite party No. 2 Prakash Kumar Jha denies that



partition. The opposite party No. 2 has also challenged the Mutation order passed in favour of the petitioner before the Additional District Magistrate.

4. Considering the aforesaid facts and circumstances, I do not find any reason to interfere with the order dated 19-01-2023 passed in Cr. Misc. No. 51572 of 2022 whereby the opposite party No. 2 was granted anticipatory bail.

5. With the above observations, the present Cr. Misc. application is dismissed.

(Nawneet Kumar Pandey, J)

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