

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 31127 of 2024**

Arising Out of PS. Case No.-9 Year-2023 Thana- MAJORGANJ District- Sitamarhi

Shubh Narayan Raut SON OF Late Nathuni Raut RESIDENT OF VILLAGE-
DUMRI KALAN, PS- MAJORGANJ, DIST- SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR JUSTICE KHATIM REZA

ORAL ORDER

2 21-05-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2 The petitioner apprehends arrest in connection with
Majorganj PS Case No 9 of 2023 dated 16.01.2023 instituted
under Sections 406, 420, 467, 468 of the Indian Penal Code.

3 The allegation is that on the basis of forged and
fabricated documents, the petitioner is disturbing the lawful
possession of the land of the informant.

4 The learned counsel for the petitioner submitted that
the informant's vendor sold the land of khatiyani raiyat, namely,
Nathuni Singh. Nathuni Singh had two sisters and after their
death, the informant purchased the land from the son of one of
the sisters and is claiming right, title on the basis of sale deed of



the year, 2023. It is submitted that the said Nathuni Singh died much before the execution of the sale deed. It is submitted that the khatiyani raiyat died issue less and during his lifetime, the petitioner from his childhood lived with him as his son and since then at the instance of Nathuni Singh, a mutation proceeding was initiated and the land in question has been mutated in the name of the petitioner vide Mutation Case No 73 of 2010-2011 vide order dated 27.04.2010 and Jamabandi was created in his name. On payment of revenue, rent receipt was issued in favour of the petitioner. Allegation against the petitioner is only the name of the petitioner entered in the revenue record without any legal right and it is submitted that the allegation is out and out a civil dispute. It is further submitted that the petitioner has clean antecedent.

5 Learned APP has opposed the prayer for bail.

6 Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner shall be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in Majorganj



PS Case No 9 of 2023 subject to the conditions as laid down in
Section 438 (2) of the Code of Criminal Procedure, 1973.

7 The application stands allowed.

(Khatim Reza, J)

M.E.H./-

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