

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33081 of 2024

Arising Out of PS. Case No.-953 Year-2022 Thana- MAJHAULIA District- West Champaran

Akhileshwar Pandey Son of Late Krishan Mohan Pandey Resident of Village-
Mathiya Brit, Ward no.- 8, P.S.- Majhauria, District- West Champaran

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Ranjan

For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 25-09-2024 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Majhauria P.S. Case No. 953 of 2022 dated 03.12.2022 registered under Sections 420, 467, 468, 471, 504, 506 of the I.P.C.

3. A complaint was filed by the complainant / Bhikhar Ram on 02.07.2022 alleging therein that the petitioner sold a piece of land appertaining to Khata No. 217, Khesra No. 899 having an area of 1 Katha in favour of the daughter of the complainant Durgavati Devi vide Deed No. 14613 dated 08.08.2018 for a consideration amount of Rs. 80,000/- claiming himself to be the owner of the aforesaid land. After registration of the sale deed the complainant came to know that the real owner of the said land is Dhruv Narayan Pandey. The complaint has been



converted into F.I.R. under Section 156(3) Cr.P.C.

4. Learned counsel for the petitioner submits that the complainant / informant has filed the present F.I.R. at the behest of his co-sharer/agnate Dhruv Narayan Pandey with whom long standing land dispute is going on. The partition of the joint family property was done about 1-2 generation before but the side of Dhruv Narayan Pandey has not accepted the partition and are obstructing in creating of “jamabandi” in the name of the petitioner and his family for which Title Partition Suit No. 49 of 2016 has been filed by the son of the petitioner in which Dhruv Narayan Pandey is one of the defendants but he is not appearing in the said suit and is evading his appearance. He further submits that all the antecedents mentioned in paragraph no. 3 of this bail application are the cases lodged by Dhruv Narayan Pandey, his family members and his henchmen and in most of the cases Police after investigation has submitted final form not finding the case true against the petitioner, however, on protest the cases are proceeding. All the cases are related with land dispute.

5. Regard being had to the submissions made by the parties, taking into consideration the fact that purchaser of the subject land has filed the complaint after four years of the purchase, as



such, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bettiah in connection with Majhaulia P.S. Case No. 953 of 2022 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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