

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46150 of 2024

Arising Out of PS. Case No.-382 Year-2023 Thana- BYPASS District- Patna

Divya Sundar S/o Late Mahanth Shyam Sundar Das R/o Mohalla - Maliya
Mahadev, P.S. - Alamganj, Distt. - Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sachchida Nand Mehta S/o Ram Savroop Mehta R/o Mohalla - Murtujiganj,
P.S. - Mehandiganj, Distt. - Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ram Binod Singh, Adv.
For the Opposite Party/s	:	Mr. Rana Randhir Singh, APP
For the O.P. No. 2	:	Mr. Suraj Samdarshi, Adv.
		Mr. Avinash Shekhar, Adv.
		Mr. Vijay Shanker Tiwari, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-08-2024 Heard learned counsel for the petitioner, learned

A.P.P. for the State and learned counsel for the Opposite Party

No. 2.

2. The petitioner apprehends his arrest in connection

with Bypass P.S. Case No. 382 of 2023 (arising out of

Complaint Case No. 985 of 2023) registered under Sections

341, 323, 385, 506 and 420 of the Indian Penal Code.

3. It is alleged that on 01.08.2023 at 10:00 A.M., this

petitioner along with 6-7 unknown persons came on the

ancestral land of informant and forcibly tried to put pillar. When

informant protested, then all the accused persons started



assaulting him with fists and legs, and in the meantime, this petitioner took Rs. 1,500/- from the pocket of informant.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. Further submission is that dispute involved in this complaint case is purely civil in nature and is given a cloak of criminal offence only with a view to settle the civil dispute. It is next submitted that as a matter of fact, the land in question is ancestral property of the petitioner and is in his possession and he is paying revenue to Bihar Government. *Jamabandi* is also running in the name of petitioner.

5. Learned A.P.P. for the State and learned counsel for the Opposite Party No. 2 opposed the prayer for bail by contending that the sale deed which has been placed on behalf of the petitioner is forged and fabricated, for which In-charge Joint Sub Registrar, Patna has lodged an F.I.R. bearing Gandhi Maidan P.S. Case No. 337 of 2024 dated 24.06.2024 against this petitioner.

6. Considering the nature of dispute as well as the submissions advanced on behalf of the parties and the materials available on record, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned



court below within a period of six 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 Additional Chief Judicial Magistrate-VI, Patna City, Patna in connection with Bypass P.S. Case No. 382 of 2023 (arising out of Complaint Case No. 985 of 2023), subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

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