

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49598 of 2024

Arising Out of PS. Case No.-289 Year-2023 Thana- BAHADURPUR District- Patna

VIJAY SAH SON OF LATE GAGDISH SAH R/O- OF MOHALLA-
SANDALPUR, OPPOSITE ST. PAULS SCHOOL, P.S.- BAHADURPUR,
DISTT.- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anand Kumar
For the Opposite Party/s : Mr.Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 21-08-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Bahadurpur Police Station Case No. 289 of 2023, dated 10.08.2023, disclosing offences punishable under Sections 379/323/386/387/504/506 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report lodged on the basis of the complaint filed by the informant, is that the informant purchased 02 kathas of land in village Sandalpur Kala in the year 2012 and the petitioner, after committing forgery, purchased a part of the land which was purchased by the informant in the



year 2017. It has further been alleged that when the informant went on his plot on 03.06.2023, at about 10:30 AM, the petitioner, along with 7-9 anti-social element were present on his plot and told the informant that if the informant wants possession over the said plot, he should pay the petitioner a sum of Rs. 25,00,000/- as rangdari.

4. Learned Counsel for the petitioner submits that the petitioner is the bona fide purchaser of the land in question inasmuch as after withdrawal of Title Suit No. 84 of 2015, the petitioner has purchased the land. He further submits that Title Suit No. 59 of 2019 is pending before the learned District Court between the parties for the same piece of land. He further submits that the informant is an anti-social element and before lodging of the present case, the petitioner has filed three criminal cases against him and in retaliation of the criminal cases filed by the petitioner, the informant has filed the present case. The allegation against the petitioner at best gives rise to a civil dispute.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the nature of allegation levelled against the petitioner, and the fact that



Title Suit No. 59 of 2019 is pending for the subject land, I am inclined to grant the petitioner privilege of anticipatory bail.

- 6. This application is, accordingly, allowed.
- 7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Patna City, in connection with Bahadurpur Police Station Case No. 289 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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