

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58207 of 2023

Arising Out of PS. Case No.-721 Year-2022 Thana- GAURICHAK District- Patna

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AJAY SINGH @ AJAY KUMAR SINGH SON OF LATE SHIO DASH
SINGH RESIDENT OF VILLAGE DAULATPUR DIH P.S GAURICHAK
DISTRICT PATNA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajkumar Rajesh

For the Opposite Party/s : Mr.Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 27-02-2024 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with
Gaurichak P.S. Case No. 721 / 2022 dated 26.10.2022 registered
for the offence under Sections 406, 407, 441, 447, 430 of the
I.P.C.

3. As per the allegation made in the F.I.R. the petitioner
voluntarily entered into an agreement for 12'x12' of land
bearing Khata No. 88, Khesra No. 736, Thana No.- 59 situated
at Mauza- Daulatpur Dih, Post- Daulatpur, Gandhi Tola, Ward
No. 10, Block- Fatuha, District- Patna for execution of
Government scheme under *Nal-Jal Yojna*. After bore-well and
installation of Motor and Starter on the subject land, the
petitioner took possession of all the equipments by constructing



boundary around the land and also stopped supply of water due to which caused water scarcity in Ward No. 10.

4. Learned counsel for the petitioner submits that the land in question belongs to one Vijay Singh and the petitioner is not the owner of the land. The informant and the members of the Managing Committee of Ward No. 10 started the work on the aforesaid land after fabricating and manufacturing the documents in the name of petitioner (Ajay Singh) by putting false signature of the petitioner. In the writ application filed by Vijay Singh bearing CWJC No. 12889 of 2023 this Court directed the respondents to shift the bore-well and water tower etc. during six months from the land in question.

5. From perusal of the agreement which is part of the F.I.R. it appears that the petitioner had entered into agreement in the year 2019 -2020 for construction of bore-well and water tower on the land in question under *Mukhyamantri Nal-Jal Yojna*. The agreement was executed in presence of witnesses: Rakesh Kumar Sao, Upendra Singh, Sidhant Singh and Akhilesh Singh.

6. It appears that the petitioner misrepresented before the authorities that the land belongs to him and caused them to install facility of supply of drinking water to the villagers. Now a defence is being taken by the petitioner that land belongs to



Vijay Singh and not to the petitioner.

7. Learned A.D.J.-IV, Patna City taking note of the case diary and other materials has rejected the anticipatory bail application of the petitioner. Accordingly, I do not find any reason to differ with the findings of the learned A.D.J.-IV, Patna City.

8. In the result, the anticipatory bail application stands rejected.

(Anil Kumar Sinha, J)

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