

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77281 of 2024

Arising Out of PS. Case No.-1171 Year-2023 Thana- SAHARSA COMPLAINT CASE
District- Saharsa

Uma Kant Jha S/O Late Nageshwar Jha R/O Village- Khojari, P.S- Balua Hat,
(Simri Bakhtiyarpur), Distt.- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Hira Lal Jha S/O Late Rameshwar Jha R/O Village- Khojari, P.S- Simri
Bakhityarpur (New P.S- Balwahat), Distt.- Saharsa.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha
For the Opposite Party/s : Mr.Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 21-11-2024 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with
Complaint Case No. 1171- C / 2023 registered under Section
467, 466, 471, 120 (B), 193, 504, 506, 500 / 34 of the I.P.C.

3. As per the complaint the petitioner has executed a sale
deed on 04.01.2021 pertaining to the land situated at Thana – 5,
Touzi No. – 538, Khata No. – 182 , Plot No. 1967 having an
area of 8.73 decimal equivalent to 2 Katha in favour of one
Pukiya Devi. The land in question belongs to the complainant /
Opposite Party No. 2 which was purchased by him in the year
1992. The petitioner sold this land on the basis of a forged and
fabricated sale deed.



4. Learned counsel for the petitioner submits that petitioner and complainant are own cousins. The land in question belongs to the petitioner which was purchased by him by virtue of registered sale deed dated 06.03.1964. Referring to Annexure P-2/1 learned counsel submits that while a road was being constructed on the said land by the State officials and other authorities, an objection was filed by the son of the petitioner Amit Kumar Jha and pursuant thereto a report was submitted by the Circle Officer, Simri, Bakhtiyarpur before the Sub Divisional Public Grievance Redressal Officer, Simri, Bakhtiyarpur stating that the land in question belongs to the petitioner. Learned counsel further submits that allegation made in the complaint at best gives rise to civil dispute.

5. Regard being had to the submission made by the parties, taking into consideration the nature of allegation and the report of the Circle Officer at Annexure: P-2/1, 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 Sri



Amit Kumar Singh, learned J.M. 1st Class, Saharsa in connection with Complaint Case No. 1171-C/2023 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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