

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78597 of 2024

Arising Out of PS. Case No.-314 Year-2024 Thana- KHAGARIA COMPALINT CASE
District- Khagaria

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1. Runa Devi W/O Phucho Mahto @ Fucho Mahto Resident of Village-Haripur, P.S- Alauli, District- Khagaria.
 2. Phucho Mahto @ Fucho Mahto S/O Late Siya Mahto Resident of Village-Haripur, P.S- Alauli, District- Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Ram Narayan Mahto S/O Lakhan Mahto R/O Sorkahi Ward No.-5, P.S- Alauli, Distt.- Khagaria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amar Kumar Singh
For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 29-11-2024 Heard learned counsel for the petitioners,

complainant and learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Complaint Case no. 314C/2024 .instituted for the offence under Sections 420 and 468 of the Indian Penal Code.

3. The case of the complainant is that his father purchased 1 Katha, 6 dhoor lan, bearing Mauza Sahsi, Tauzi No. 1358, Khata No. 259 from the father of petitioner no. 2 Phucho Mahato @ Fucho Mahto. It is further alleged that accused



persons have wrongly transferred the same land to Runa Devi
After making Kewala, accused persons are continuously trying
to evict the complainant/informant.

4. At the outset, it has been stated by the complainant
that due to mistake, Khata No. 269 was entered in place of
Khata No. 259.

5. Learned counsel for the petitioners has submitted
that petitioners are innocent and have falsely been implicated in
connection with the present case due to land dispute. From the
perusal of the complaint, it is clear that in the earlier deed i.e.
1986, Khata No. was wrongly entered as 269 in place of Khata
No. 259 and that was never rectified. In such fact and
circumstances, it cannot be said that the same land was again
transferred. So the main allegation in the complaint petition
stands falsified.

6. Having heard learned counsel for the parties and in
the facts and circumstances of the case as stated above, this
Court is inclined to enlarge the petitioners on bail. The
petitioners are directed to surrender in the Court below within a
period of four weeks from today and in the event of their arrest
or surrender in connection with Complaint Case no. 314C/2024,
he will be enlarged on bail on furnishing bail bond of Rs.



10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Second Class, Khagaria subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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