

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84238 of 2024

Arising Out of PS. Case No.-1363 Year-2021 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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Ramakant Ojha Son of Late Hari Kishore Ojha Resident of village - Sandha Singaila, Ward No-9 (Old) 17 (New), P.S. Motipur, District Muzaffarpur at present at present residing at Pipara Ragho, PS- Sahebganj, District - Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Purushottam Kumar Ojha Son of Late Surnedra Ojha Resident of village- Sandha Singaila, Ward No-9 (Old) 17 (New), P.S. Motipur, District - Muzaffarpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Arbind Kumar Sharma, Advocate
For the Opposite Party/s	:	Mr. Akshay Lal Pandit, APP
For the Complainant	:	Mr. Rakesh Dubey, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-12-2024 Heard learned counsel for the petitioner, learned counsel for the complainant and learned APP for the State.

2. Petitioner is apprehending his arrest in connection with Complaint Case No.1363 of 2021 corresponding to T.R. No. 825 of 2023, registered for the offence punishable u/s 467, 468, 471, 420 of IPC.

3. As per prosecution case, a partition took place several years ago and on the basis of their mutual partition, all stakeholders came in possession of their respective shares. After death of the complainant's father, complainant applied for mutation of his shared land before the Circle Officer and at that time, accused persons planned to grab his land. All accused persons in collusion



with revenue officials fraudulently tempered the official records and generated new jamabandi in place of old existing jamabandi and taking advantage of same, executed a sale deed in favour of Ajay Kumar Singh and Santosh Kumar for land which belongs to complainant.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence. He has been falsely implicated in this case. All the allegation made by the complainant that the petitioner got the disputed land mutated in his name is totally false and frivolous. The disputed land is common ancestral property and a partition suit in connection with aforesaid land is pending. It is a dispute of civil nature. Petitioner has no criminal antecedent.

5. Learned APP for the State and learned counsel for the complainant opposed the prayer for bail.

6. Considering the aforesaid facts and circumstances and the nature of allegation, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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