

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38072 of 2024

Arising Out of PS. Case No.-2120 Year-2019 Thana- GAYA COMPLAINT CASE District-
Gaya

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Rajeev Ranjan Sharma @ Munna Kumar SON OF Late Kamat Sharma
VILLAGE AND PO- JALALPUR TOLA TELHA PS- TEKARI, DIST-
GAYA

... .. Petitioner/s

Versus

1. The State of Bihar
2. MANO DEVI WIFE OF RAJESH CHAUDHARY VILLAGE AND PO-
SIMUARA, PS- TEKARI, DIST- GAYA

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Sanjeev Kumar, Advocate
For the State	:	Mr. Syed Mojibur Rahman, APP
For Opposite Party No.2	:	Mr. Anil Kr. Saxena, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 15-01-2025 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Section 420 of the Indian Penal Code.

3. As per prosecution case, in sum and substance the allegation of the complainant is that she had purchased a piece of land from this petitioner and thereafter when she applied to mutate the land the same got rejected on the ground that the nature of land in question is 'Bihar Sarkar'.

4. It is submitted by learned counsel appearing on behalf of the petitioner that the petitioner is innocent and has



falsely been implicated in this case. He further submits that the land in question was purchased by forefathers of this petitioner and uncle of petitioner, namely Rajnish Kumar, has also sold his share of the land appertaining to Plot No. 189, Khata No. 25, Thana No. 167, Teka, Gaya to one Babita Devi through registered sale deed on 20.12.2013 and thereafter she has also got the land mutated and the question of nature of land was never raised till date. Even the complainant has not produced a single piece of paper to show that the mutation of land in question was rejected on the ground that the same is Bihar Sarkar land. It is further submitted that in spite of opportunity granted by this Hon'ble Court vide order dated 17.12.2024 the complainant has not brought on record any piece of paper or evidence to substantiate the allegations. Moreover, the dispute is with regard to sale and purchase of land which is purely civil in nature and for which complainant has got alternative remedy before Civil Court of competent jurisdiction. Petitioner claims clean antecedent.

5. On the other hand, learned A.P.P. for the State and learned counsel appearing on behalf of the complainant/Opposite Party No. 2 have vehemently opposed the prayer for grant of anticipatory bail to the petitioner.



6. Considering the aforesaid facts and circumstances, nature of dispute and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged 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 J.M.F.C., Gaya, in connection with Complaint Case No. 2120 of 2019, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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