

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68436 of 2024

Arising Out of PS. Case No.-1522 Year-2022 Thana- COMPLAINT CASE District- Jamui

Kailash Verma Son of Late Anandi Verma Resident of Village- Nagri, P.S.-
Chakai District- Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Niranjan Mahto Son of Late Bhuneshwar Mahto R/O Vill.- Nagri, P.S.-
Chakai, Dist.- Jamui.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar, Advocate
For the Opposite Party/s : Mr. Pramod Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 03-01-2025 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 420, 323 and 504 of the Indian Penal Code.

3. As per the prosecution case, the complainant purchased land of Khata No. 237 bearing plot nos. 899 & 900 measuring area 7 decimals of land each. It is alleged that this petitioner executed the sale deed in favour of the complainant on 30.09.2016 but later on, complainant came to know that 6.5 decimals of land in question had already been transferred to Mamta Devi on 04.03.2016. It is further alleged that when the complainant enquired about the same, the accused



persons including this petitioner abused and assaulted him.

4. Learned counsel for the petitioner submits that petitioner has committed no fraud and in fact, due to some typographical error in the sale deed, petitioner has falsely been implicated in this case. He further submits that total land in possession and title of the petitioner is more than 14 decimal but recital and boundary of the land executed in favour of the complainant has wrongly been given from another plot from which sale deed has been executed in favour of Mamta Devi and after discovering the aforesaid mistake, the same has been brought to the knowledge of petitioner and he is ready to get it corrected by rectification deed. Moreover, the dispute involved in this case is primarily civil in nature. Petitioner has got clean antecedent.

5. Learned APP for the State vehemently opposed the bail application.

6. Considering the nature of accusation and dispute, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of eight weeks from today, 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 Judicial Magistrate, 1st Class, Jamui in connection with Complaint Case No. 1522C of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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