

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71267 of 2024

Arising Out of PS. Case No.-597 Year-2020 Thana- NAWADAH COMPLAINT CASE
District- Nawada

=====

Mritunjay Pathak Son of Suresh Pathak Village -kutari, Police Station - Warisaliganj, District- Nawada, Presently Posted as Revenue Karmchhari, Nardiganj Block, Police Station - Nardiganj, District- Nawada

... .. Petitioner/s

Versus

1. The State of Bihar
2. Satyadeo Pandey Son of Late Shyam Pandey Resident of Vilalge- Rame, P.S.- Nardiganj, Distt.- Nawada

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s :	Mr. Deepak Kumar, Adv.
For the Opposite Party/s :	Mr. Arun Kumar Pandey, APP
	Mr. Rajive Ranjan Singh, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 09-01-2025 Heard learned counsel for the petitioner, learned A.P.P. for the State and learned counsel for the O.P. No. 2.

2. The petitioner apprehends his arrest in connection with Complaint Case No. 597 of 2020 registered under Sections 341, 467, 468, 420 and 120-B of the Indian Penal Code.

3. As per complaint case, it is alleged that petitioner being Revenue Officer misused his position issued Land Possession Certificate (LPC) No. 3599 dated 11.09.2019 showing possession of the land in the name of complainant namely Satyadev Pandey with respect to Thana No. 32, Khata No. -New- 344, Khesra No. 1770 area 0.0195 and New Khata No.



344, Khesra No. 1780, area 0.0555 and in a span of less than a month, issued another LPC of the same land showing possession of half of the land in the name of co-accused Manoj Kumar. It is further alleged that on the basis of LPC, co-accused Manoj Kumar received Rs. 1,26,000/-.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has falsely been implicated in the present case due to ulterior motive. Further submission is that there is dispute between the complainant/O.P. No. 2 and co-accused Manoj Kumar regarding partition of the land in question. On the application given by complainant as well as co-accused Manoj Kumar, LPC was issued by the Circle Officer on the basis of report submitted by Revenue Karamchari and in-charge Revenue Officer and at the relevant time, petitioner was Revenue Officer of Block. It is submitted that for issuance of LPC, a person is required to make an application along with requisite documents and after verifying the veracity of the documents submitted and also on the basis of reports which is given by Revenue Karamchari as well as Revenue Officer, the same is issued in favour of person making the application. Learned counsel for the petitioner submits that in the present case, both the parties were agnates and both had



applied for LPC and in the LPC, it is categorically stated that land in question are recorded in the name of the father of applicant and matter relates to NH-82 four lane and accordingly, LPC was issued. It is submitted that complainant had filed complaint petition in respect to Khata No. 344, New Plot Nos. 1770 and 1780, but in the final decree of the partition suit No. 26/1977, there is no mention of Khata No. 344, Plot Nos. 1770 and 1780. Also the LPC issued to co-accused Manoj Kumar is concerned, it is clear that it has been issued with respect to half of the Plot Nos. 1770 and 1780. It is lastly submitted that co-accused Manoj Kumar has been granted anticipatory bail by Court below vide order dated 30.07.2024 passed by learned Additional Sessions Judge-II, Nawada in A.B.P. No. 1547/24/180/24.

5. Learned A.P.P. for the State and learned counsel for the O.P. No. 2 opposed the prayer for bail.

6. Having considered the aforesaid facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned court below within a period of eight 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



learned Judicial Magistrate-I, Nawada in connection with
Complaint Case No. 597 of 2020, subject to the conditions as
laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

utkarsh/-

U		T	
---	--	---	--

