

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90105 of 2024

Arising Out of PS. Case No.-298 Year-2023 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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Pappu Thakur S/O Bhavesh Thakur R/o/V - Kaswa Kherhi, P.S - Shahkund,
District - Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kartik Thakur S/O Late Budhan Thakur R/o/V - Kaswa Kherhi, P.S -
Shahkund, District - Bhagalpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha
For the Opposite Party/s : Mr.Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 13-02-2025 Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. The petitioner apprehends his arrest in a complaint
case punishable for the offence under Sections 323, 420, 468,
504, 506, 120(B) of the Indian Penal Code.

3. As per complainant case, the complainant
purchased a piece of land of Khata No. 467, Khesra No. 1007,
Area 3.25 decimal from co-accused Neera Devi in the year 1995
and thereafter, he came in possession and mutated his name and
got rent receipt. It is further alleged that the said co-accused
Neera Devi and Ramesh Thakur illegally sold the same land on
17.02.2020 to the petitioner Pappu Thakur and thereafter, this
petitioner in connivance of Halka Karamchari and Circle Officer
got his name mutated on 26.12.2022.



4. Learned counsel for the petitioner submits that petitioner is bonafide purchaser of the land in question and has purchased the said land from the accused persons after payment of consideration money. Petitioner was not aware of the earlier sale-deed. Moreover, the dispute is purely of civil nature and complainant has got alternative remedy. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances, in the event of arrest/surrender before the Court below 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 Judicial Magistrate 1st Class, Bhagalpur in connection with Complaint Case No. 298 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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