

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49781 of 2025

Arising Out of PS. Case No.-894 Year-2022 Thana- COMPLAINT CASE - ROSERA
District- Samastipur

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1. Kailash Jha S/o Late Babu Saheb Jha Resident of Village- Mustafapur, PS- Bibhutipur, District- Samastipur
 2. Anand Kumar Jha s/o Kailash Jha Resident of Village- Mustafapur, PS- Bibhutipur, District- Samastipur
 3. Mahant Shri Nivas Das Chela of Guru Narayan Das Resident of Village- Mustafapur, PS- Bibhutipur, District- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Hare Ram Jha S/o Late Babu Saheb Jha Resident of Village- Mustafapur, ward no. 5, PS- Bibhutipur, District- Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhoy Kumar Kashyap
For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 18-03-2026 Heard the parties.

2. The petitioners are named in the complaint petition and apprehending their arrest in connection with Complaint Case C.R. No. 894 of 2022 registered for the offences punishable under Sections 420 of Tipc.

3. As per complaint, the petitioner no. 1, namely, Kailash Jha stopped complainant and others from cultivating the field between 22.05.2001 and 17.11.2022



and when on the last occasion he protested to cultivate the field he was assaulted by petitioners.

4. It is submitted by learned counsel appearing on behalf of the petitioners that allegation is nowhere suggesting that it is a case of cheating, rather it suggests that it is a case of civil dispute arising out of land issue and therefore reasons present criminal complaint is completely un-occasioned and unwarranted. It is also submitted that to settle aforesaid civil dispute a Title Suit No. 528/2022 is pending before the court of learned Sub-Judge 1, Rosera, Samastipur. While concluding argument, it is submitted that petitioners claimed clean antecedent.

5. Learned APP duly assisted by learned counsel for the informant while opposing the prayer of bail could not disputed aforesaid submission *qua* land dispute as advanced by learned counsel for the petitioner.

6. In view of aforesaid factual submission and by taking note of fact as dispute primarily appears civil in nature arising out of land dispute for which a title suit as



mentioned aforesaid is pending between the parties, accordingly all above-named petitioners, in the event of their arrest or surrender before the court below within a period of four weeks, are directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned SDJ.M. Rosera/concerned Court, where the case is pending in connection with Complaint Case C.R. No. 894 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/ Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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