

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47238 of 2014

Arising Out of Complaint .Case No. -12822 Year- 2014 Thana -BEGUSARAI COMPLAINT CSAE
District- BEGUSARAI

1. Chandrabhushan Singh S/o Late Badri Narain Singh
2. Randhir Singh S/o Late Laxmi Narayan Singh
3. Sudhir Singh S/o Late Laxmi Narayan Singh

All R/o Village Kapasia, P.S. Nagar, District Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar .
2. Upendra Prasad Singh S/o Late Ram Sagar Singh R/o Village Kapasia,
P.S. Nagar, District Begusarai.

.... Opposite Party/s

Appearance :

For the Petitioner/s :

For the Opposite Party/s :

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL ORDER

2 23-04-2015 Heard Mr. B. P. Pandey, learned senior counsel
assisted by Mr. Pravin Kumar Sinha, learned counsel for the
petitioners, learned A.P.P. for the State and learned counsel for the
complainant (opposite party no. 2).

The petitioners apprehend arrest in Complaint Case
No. 12822 (C) of 2014 instituted under Sections
465/469/471/468/420/419/500/34 of the Indian Penal Code.



Learned counsel for the petitioners submits that the allegation against them is that the two informatory petitions filed by them before the Chief Judicial Magistrate, Munger were not filed through the advocate who is purported to have signed, i.e., Mr. Udit Narain Singh and later on the certified copy of the two informatory petitions were filed in the court of the Commissioner, Munger Division in a proceeding. It is submitted that the petitioners do not deny the contents of the informatory petitions and further that they had instructed their lawyer Mr. Nageshwar Chaudhary to file such informatory petitions which they had signed but they were not privy to actually who was shown to have signed the petitions on their behalf and since they had entrusted it to their advocate Mr. Nageshwar Chaudhary, they had no reason to question as to why Mr. Udit Narain Singh was shown to have signed the two informatory petitions. Learned counsel draws the attention of this Court to Annexure-3, which is an affidavit before the Notary Public, Begusarai in which the writing of Mr. Nageshwar Chaudhary, advocate is the similar to the writing of both the two informatory petitions, though in the informatory petitions the name shown is that of Udit Narain Singh. Learned counsel submits that the contents of the informatory petitions are not denied by the petitioners and that they had paid the counsel to file the informatory petitions and the same had been filed and also

when prima facie it is clear that the name of Mr. Udit Narain Singh has been written by Mr. Nageshwar Chaudhary, advocate, the petitioners cannot be fastened with any liability as they have absolutely no idea or intention to forge any record.

Learned A.P.P. and learned counsel for the complainant oppose the prayer for anticipatory bail and submit that the petitioners are liable for forging documents.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in Complaint Case No. 12822 (C) of 2014, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Ahsanuddin Amanullah, J)

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