

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33844 of 2016

Arising Out of PS.Case No. -519 Year- 2015 Thana -BARH District- PATNA

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1. Lalan Kumar S/o Late Birendra Singh Resident of Village- Makrampur, P.S.- Nalanda, District- Nalanda.
 2. Rama Arun Kumar Singh S/o Late Mahendra Kumar Resident of Village- Baddopur, P.S.- Pandarak, District- Patna (As per Complaint petition R/o Village- Purbari Malahi, P.S.- Barh, District- Patna.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Gajanan Mishra, Advocate.
For the Opposite Party : Mr. Smt. Pronati Singh (APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 24-08-2016 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

Petitioners apprehend their arrest in connection with Barh P.S. Case No. 519 of 2015 registered for offences punishable under Sections 420, 467, 468, 471 and 386/34 of the Indian Penal Code.

The prosecution case, in brief, is that the accused persons by making conspiracy, sold the valuable land of the complainant, situated at *Bakhtiyarpur mauza* by creating forged and fabricated documents and by torturing the father-in-law and husband of the complainant. It is further alleged that the accused Ravi Shankar Singh and other co-accused persons have prepared a

forged *Mokhtarnama* in the name of the father-in-law of the complainant and on the basis of said *Mokhtarnama*, he sold land of the complainant and due to this, the complainant has suffered loss to the tune of Rs. 12,79,000/-.

It has been submitted by the learned counsel for the petitioners that the petitioners are innocent and have been falsely implicated in the aforesaid case. They are registered deed writer and have no criminal history, as is evident from para-3 of this application. It has further been submitted that the matter relates to sale and purchase of land and prior to the institution of the present case, a Title Suit No. 77 of 2015 was filed by the complainant. He submits that one of the purchasers namely Pinku Singh @ Anupam Anand Singh has since been granted privilege of bail, in Cr. Misc. No. 27446 of 2016 on 12.07.2016, by a Co-ordinate Bench of this Court.

However, learned A.P.P. for the state submits that the petitioners are named in the F.I.R., hence, opposes the prayer for bail.

Be that as it may, since the matter relates to civil dispute, for which, a title suit has been filed and one of the purchasers has already been granted privilege of bail by this Court, let the above named petitioners, in the event of their arrest

or surrender before the Court below within a period of eight weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Barh, Patna in connection with Barh P.S. Case No. 519 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Nilu Agrawal, J.)

Amit/-

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