

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.35632 of 2016**

Arising Out of PS.Case No. -50 Year- 2012 Thana -BUXAR COMPLAINT CASE District- BUXAR  
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1. Sushil Kumar Singh
2. Ashok Kumar Singh Both sons of Late Shri Ramchandra Singh, resident of Village + P.O.- Nuaon, P.S.- Krishnabrahm, Dist Buxar.

.... .... Petitioner/s

Versus

1. The State of Bihar.
2. Laxman Prashad alias Laxman Bhagat Son of Late Rajgrihi Sah, resident of Village + P.O.-Nuaon, P.S- Krishnabrahm, Dist. Buxar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar Garg

For the Opposite Party/s : Mr. Sri Narsingh Tanti

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**

**ORAL ORDER**

03/ 01-03-2017

Heard learned counsels for the petitioners and the State.

The petitioners have renewed prayer for anticipatory bail in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 467, 468, 471 and 120B of the Indian Penal Code.

The prosecution case is that the petitioners along with co-accused persons in conspiracy with each other got a forged Vakalatnama alleged to have been executed by Rameshwar Sah, who died on 29.05.2012 in West Bengal at



Burdwan district (cousin grand father of the complainant who died issueless), filed in Title Suit No. 61 of 1992 and on the basis of compromise decree mutation with regard to certain lands were made.

It is submitted by learned counsel for the petitioners that earlier anticipatory bail application being Cr. Misc. No. 23263 of 2013 was withdrawn under certain misconception by the counsel for the petitioners. With similar accusation earlier Brahmpur (Krishna Brahm) P.S. Case No. 216 of 2011 was filed wherein petitioners were granted anticipatory bail vide Cr. Misc. Nos. 3318 of 2012 and 7840 of 2012.

Considering the fact that earlier anticipatory bail application was withdrawn on submission that the petitioners want to surrender before the learned court below, this Court is not inclined to consider the prayer for anticipatory bail but for the similar accusation in earlier case the petitioners have been granted anticipatory bail by this Court, this Court finds no reason for the learned court below not to consider the prayer for bail of the petitioners, if the petitioners surrender before the learned court below within a period of six weeks from today in connection with Complaint Case No. 50(C) of 2012 pending in the court of learned Sub-divisional Judicial



Magistrate, Buxar. It is expected from the learned court below to consider and dispose of the prayer for bail of the petitioners preferably on the same day.

With the aforesaid observation, this application is disposed of.

**(Dinesh Kumar Singh, J)**

DKS/-

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