

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69904 of 2018

Arising Out of PS. Case No.-312 Year-2017 Thana- NAUTAN District- West Champaran

1. Lakshman Singh, Son of Late Shiv Pratap Singh,
 2. Jangali Singh, Son of Late Shiv Pratap Singh,
 3. Ajay Singh, Son of Lakshman Singh,
 4. Umesh Singh, Son of Jangali Singh,
 5. Sandesh Pandey @ Sangesh Pandey, Son of Dhrup Pandey,
- All resident of Village- Mangalpur Kalan, P.S.- Nautan, District-
West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava
For the Opposite Party/s : Mr. Sri Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-12-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 328, 384, 467, 468, 471, 504, 506 and 420/34 of the Indian Penal Code.

The prosecution case, as per the written of Most. Birju Devi, submitted to the Station House Officer, Nautan Police Station, is to the effect that on 21.07.2017, the father-in-law of the informant, Ramlakshan Singh went to a tea stall between 8.00 A.M.-9.00 A.M. It is further alleged that all the accused persons administered some intoxicant in the food and fraudulently obtained the thumb



impression of the father of the informant and got executed a sale deed on the basis of the thumb impression, with regard to one katha of land appertaining to Khata No. 67, Kheshra No. 79/1 at Village Mangalpur Kala.

It is submitted by learned counsel for the petitioners that on conclusion of investigation the petitioners were not sent up for trial but differing with the final form the cognizance has been taken and in the background of land dispute, the accusation has been levelled against the petitioners. Moreover, for the occurrence of 21.07.2017, the FIR has been registered after a substantial delay on 12.08.2017. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that there is specific accusation against the petitioners.

Considering the fact that accusation is not found true during investigation accusation being levelled in the background of a land dispute, coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., West Champaran at Bettiah in connection with Nautan P.S. Case No. 312 of 2017, subject



to the conditions as laid down under Section 438(2) of the
Cr.P.C.

(Dinesh Kumar Singh, J)

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