

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56973 of 2018

Arising Out of PS. Case No.-192 Year-2017 Thana- PIRO District- Bhojpur

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1. Nandji Singh, S/o Raj Nath Singh,
 2. Pramod Kumar, S/o Nandji Singh,
 3. Vikash Kumar, S/o Sharda Singh,
 4. Awlesh Kumar, S/o Nandji Singh, All are resident of Bahuara,
Police Station- Chauri, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramashray Roy
For the Opposite Party/s : Mr. Sri Bal Mukund Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 10-12-2018 The petitioner no. 1/Nandji Singh and petitioner no. 3/Vikash Kumar have been arrested in a different case.

In that view of the matter their petitions have become infructuous. Dismissed as infructuous.

Heard the learned counsel for the petitioners and the State.

The petitioner no. 2 and 4 seek bail in anticipation of their arrest in connection with Piro P.S. Case No. 192 of 2017 dated 01.08.2012 instituted for the offences under Sections 406, 420, 467, 471 and 120(B) of the Indian Penal Code.

The petitioners no. 2 and 4 along with petitioners no. 1 and 3, whose cases have become



infructuous, are alleged to have obtained his signature on blank piece of paper in the garb of having the dispute between him and one Vishwanath Giri settled. By virtue of the aforesaid document, a sale deed was brought into existence whereby the informant has been shown to be the executor of a sale deed for a plot of land in favour of wife of petitioner no. 1 who is the mother of petitioner no. 2.

Learned counsel for the petitioner has submitted that in the first instance the statement made in the FIR is incorrect as the dispute between the informant and Vishwanath Giri has long been settled under the Lok Adalat. The other aspect of the matter which has been highlighted by the learned counsel for the petitioners is that the sale deed which is said to have been wrongly procured is a registered document where the signature as well as the photograph of the informant has also been appended. This case, it has been argued, has been lodged after the execution/conveyance of the property in favour of the mother of petitioner no. 2.

There is another case in which the petitioners no. 2 and 4 have not been made accused wherein petitioners no. 1 and 4 have been alleged of assaulting the informant and others. In the aforesaid case petitioners no. 1 and 3 have been arrested.



Considering the fact that the case emerges out of a civil dispute, the petitioners no. 2 and 4 are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate 1st Bhojpur at Ara in connection with Piro P.S. Case No. 192 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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