

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64945 of 2018

Arising Out of PS. Case No.-616 Year-2018 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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1. Binod Kumar Singh Son of Kirshna Mohan Singh
2. Krishna Mohan Singh son of Late Baleshwar Singh
Both are Resident of Mohalla-Bandhan Tola, Police Station-Ara
Nawada in the district of Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sunita Singh wife of Ranjit Kumar @ Ranjit Kumar Singh, Resident of
Village-Anaith, Dhobi Patwa, Police Station-Ara Nawada in the district of
Bhojpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate
For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 13-12-2018 At the outset, it is submitted that during pendency of

the instant application under Section 438 of the Code of

Criminal Procedure, petitioner no.2, namely, Krishna Mohan

Singh has been arrested.

In that view of the matter, the application so far as the
petitioner no.2 is concerned, is dismissed as infructuous.

The petitioner seek pre-arrest bail in connection with
Complaint Case No.616(c) of 2018 in which cognizance has
been taken against the petitioner and others for the offence
punishable under Sections 323, 341, 448, 380 and 420 read with
34 of the Indian Penal Code.

It is submitted by the learned counsel for the



petitioner that the allegation as alleged by the opposite party no.2 is out-and-out false, fabricated and concocted. Petitioner no.1 is brother of the complainant. His father (Petitioner no.2) had purchased a piece of land measuring 1 katha in Ara town from own income, as he was employed in Merchant Navy. However, the opposite party no.2 started to demand share in the said piece of land for which he was not ready. He contended that so far as the alleged will is concerned, the opposite party no.2 had already filed Title Suit No.141 of 2017, which is pending before the court of learned Sub Judge, Ara.

On the other hand, learned counsel for the complainant submitted that the petitioners had pressurized the complainant to return her ornaments and the petitioner no.2 had promised to register a piece of land in her favour in lieu thereof and executed a forged will in her favour. However, after verification, that will was detected to be false.

Be that as it may, regard being had to the facts and circumstances of the case, in the event of arrest or surrender in the court below within a period of six weeks, the petitioner no.1 Binod Kumar Singh is directed to be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the



learned Additional Chief Judicial Magistrate-VIII, Bhojpur, Ara
in connection with Complaint Case No.616(C) of 2018 subject
to the conditions as laid down under Section 438(2) of the Code
of Criminal Procedure.

(Ashwani Kumar Singh, J.)

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