

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6176 of 2019

Arising Out of PS. Case No.-1143 Year-2018 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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1. Fulena Singh @ Fulena Prasad Singh, Son of Late Ram Pavitra Singh.
 2. Bhavesh Mani singh @ Bhawesh Mani Singh @ Bhavesh Mani.
 3. Rupesh Mani Singh, both 2 & 3 are Son of Fulena Singh, R/O- Pokharia, Ward no. 39, P.S. Begusarai Town, District- Begusarai.

... .. Petitioners

Versus

1. The State of Bihar.
2. Bullan Kumar Singh, S/o Late Kedar Singh, R/O- Pokharia, Ward no. 39, P.S. Begusarai Town, District-Begusarai.

... .. Opposite Parties

Appearance :

For the Petitioners : Mr.Shubhesh Pandey, Advocate.
For the Opposite Party : Mr.Kalyan Shankar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-02-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 419, 420, 308, 120(B), 468, 474, 471/34 of the IPC in which cognizance has been taken under Sections 417, 468, 471 and 504/34 of the IPC.

The prosecution story, in brief, is that the Kedar Prasad Singh father of the complainant and his full brothers are in peaceful possession of different lands. Petitioners in consent and collusion with each other created a fabricated partition deed with respect to his family and started using the said forged partition deed. They have also got their name mutated on



17.04.2018 in connivance with revenue staff. It has further alleged that the partitioned deed is apparently false because it bears the forged signature of some persons who have not signed over the partition deed and they are conspiring the sale out the land on the basis of mutation order. On 09.07.2018, on the order of petitioner no. 1 Fulena Singh, petitioner no. 2 Bhavesh Mani Singh fired upon him and petitioner no.3 Rupesh Mani Singh also chased him with Iron rod. Anyhow, he saved his life.

It has been submitted by learned counsel for the petitioners that the petitioner nos. 1 and 2 have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The petitioners and informant are agnates. There is also title suit is pending between the parties. The matter relates to civil dispute.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail



bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M. 2nd Class, Begusarai, in connection with Complaint Case No. 1143C of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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