

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20201 of 2019

Arising Out of PS. Case No.-1275 Year-2016 Thana- PATNA COMPLAINT CASE District-
Patna

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1. AJAY KUMAR SINGH, aged about 40 years, Male, Son of Sri Prem Chandra Singh, Resident of Flat No. 102, B-Block, Ganesh Vihar Apartment, Nehru Nagar, P.S.- Patliputra, District- Patna, Pin Code-800013
 2. Alok Kumar Singh, aged about 17 years, Male, Son of Sri Prem Chandra Singh, Resident of Flat No. 102, B-Block, Ganesh Vihar Apartment, Nehru Nagar, P.S.- Patliputra, District- Patna, Pin Code-800013
 3. Arun Kumar, aged about 45 years, Male, Son of Raman Kumar Singh, Resident of Village - Lohar Bigha, P.S.- Kapri, District- Arwal, Pin Code-800013
 4. Anil Kumar, aged about 48 years, Male, Son of Sri Tarkeshwar Nath, Resident of Bank Kothi, Digha, P.S.- Digha, District- Patna, Pin Code – 800013
... Petitioners

Versus

1. The State of Bihar
2. Vibha Saxena, Wife of Sri Anjani Kumar Saxena, Resident of Tarni Prasad Lane, P.S.- Khajekalan, District- Patna, Bihar, Pin Code- 800001
... Opposite Parties

Appearance :

For the Petitioners	:	Mr. Raj Nandan Prasad, Adv.
For the State	:	Mr. Anita Kumari Singh, APP
For OP No. 2	:	Mr. Arvind Kumar Pandey “Abhishek”, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

6 01-08-2019 Heard learned counsel for the petitioners, learned counsel for complainant/opposite party no. 2 and learned Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with Complaint Case No. 1275(C) of 2016 for the offences alleged under Sections 420, 406, 423, 408, 424, 463, 465, 468, 469, 471 and 120B of the Indian Penal Code.



The accusation is that opposite party no. 2, Vibha Saxena, and late Jyotirmayee Prasad, husband of Rekha Singh, entered into an agreement for development of land of opposite party no. 2 in area of three katha and, according to which, 50% of constructed structure was given to the opposite party no. 2 by developer, late Jyotirmayee Prasad, and, accordingly, opposite party no. 2 was coming over possession over the same. In the year 2007, petitioner no. 1, Ajay Kumar Singh, approached opposite party no. 2 to take on rent shop no. 102 and the same was let out to Ajay Kumar Singh on lease for eleven months, but, electric dues was not paid by petitioner no. 1, then, dispute regarding payment of electricity of Rs.49,000/- started and admittedly electric connection was disconnected on the prayer of opposite party no. 2, but, behind the opposite party no. 2, petitioner no. 1 obtained the electric connection preparing the forged document. Opposite party no. 2 approached C.G.R.F. In the meantime, petitioner no. 1 got executed the sale deed in the name of his brother, Alok Kumar Singh, petitioner no. 2, in respect to said shop from Rekha Singh, wife of late Jyotirmayee Prasad. On which petitioner no. 3, Arun Kumar, and petitioner no. 4, Anil Kumar, put their signatures as the witnesses.

Learned counsel appearing for petitioners submits that



shop no. 102 was in the share of late Jyotirmayee Prasad, husband of Rekha Singh, was purchased from Rekha Singh, but, due to ulterior motive the present case has been lodged, which is civil in nature.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Complaint Case No. 1275(C) of 2016 shall be released on pre-arrest bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Sub Judge X-cum-Additional Chief Judicial Magistrate, Patna, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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