

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 81537 of 2019

Arising Out of PS. Case No.-304 Year-2019 Thana- BIHPUR District- Bhagalpur

Shailendra Kumar Singh, Male, aged about 57 years, S/O Late Balram Prasad Singh, R/O Balaha, P.S.- Bihpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Sinha, Advocate

For the Opposite Party/s : Mr.Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-02-2020 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Bihpur (Bhawanipur) P.S. Case No. 304 of 2019 registered for the offences punishable under Sections 467, 468, 471, 420, 120(B), 110 and 114 of the Indian Penal Code.

Prosecution story in nut shell as per the fardbeyan of the informant namely Diwakar Kuamr Singh is that his father Late Balram Singh had solemnized two marriages and out of the wedlock from the first marriage with Sita Devi a son namely Sudhir Kumar Singh took birth. After the death of Sita Devi, his father solemnized second marriage with Uma Devi from whom two son and three daughters including the informant took birth. It is also alleged that at the time of her marriage with the father



of the informant, along with his mother Uma Devi her son Shailendra Kumar Singh and a daughter Neelam Devi came to his father's house as Laghaur. After the death of his mother and father Shailendra Kumar Singh, son of Late Kapildev Singh @ Borhan Singh village Terasi, P.S. Gangaur, District- Khagaria sold several pieces of land situated in Mouja Jaipur Chuhar East of different Khata and Khesra numbers which stood in his and his brother Prabhyakar Kumar's name. Furtehr alelgation is that in collusion with Ex-Sarpanch of Gram Katchahari, Jaipur Chuhar East namely Amrendra Yadav @ Bahu Saheb by preparing false heirship certificate wrongly got prepared Jamabandi of the aforesaid lands from Circle Officer, Narayanpur and dispossessed him. Shailendra Kuamr Singh has sold his land to different persons due to which he is facing financial crunch and other difficulties and for that he complained to the Circle Officer who satisfied to resolve the matter at the level of Panchayat and out of resentment, he consumed pesticide due to which he was admitted at PHC, Narayanpur and from there referred for better treatment of JLNMC, Bhagalpur where treatment is going on.

Learned counsel for the petitioner submits that the petitioner is innocent, has committed no offence and he has been



falsely implicated in this case. It is further submitted that the dispute between the parties are civil in nature and only to create pressure upon the petitioner. This false case has been lodged by the informant. It is further submitted that the correction slip was issued in the name of petitioner and informant has not chosen to approach any authority against that correction slip.

I have gone through the records.

It is clear to show that it is civil dispute between the parties.

In the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M., Nlaugachhia, Bhagalpur in connection with Bihpur (Bhawanipur) P.S. Case No. 304 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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