

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85068 of 2019

Arising Out of PS. Case No.-278 Year-2019 Thana- CHAPRA TOWN District- Saran

1. AJAY KUMAR SINGH Son of late Sawaliya Bihari Singh Resident of Village - Masumganj, P.O.- Chapra, P.S.- Bhagwan Bazar, Distt.- Saran.
2. Arun Kumar Singh Son of Late Sawaliya Bihari Singh Resident of Village - Masumganj, P.O.- Chapra, P.S.- Bhagwan Bazar, Distt.- Saran.
3. Ram Narayan Singh Son of Late Kailash Bihari Singh Resident of Village - Masumganj, P.O.- Chapra, P.S.- Bhagwan Bazar, Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjana

For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 07-01-2020 Heard the learned counsel for the petitioners and
the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Chapra Town PS case no. 278 of 2019 registered for the offences punishable under Sections 406, 420, 467, 468, 471, 120(B) of Indian Penal Code.

The allegation is regarding the petitioners herein having executed a sale deed regarding the plot in dispute despite pendency of a civil suit and there being an injunction order, as against the petitioners side.

The learned counsel for the petitioners has



submitted that the allegation levelled in the connected case is purely of a civil nature and regarding the disputed plot, a civil suit bearing Partition Suit no. 25 of 1991 is pending before the learned court of Sub-Judge, Saran at Chapra. It is further submitted that the informant has filed various criminal cases against the petitioners herein involving various pieces of land, which are part of the composite land belonging to the ancestors of the petitioners as well and the same are subject matter of partition suit pending before the learned court below, hence the proper remedy for the informant is to approach the learned court below in the on-going partition suit and agitate his grievances there. As far as the other criminal cases pending against the petitioners are concerned, it is submitted that the same have been filed by the informant of the present case and the same also pertains to other piece of land, alleged to have been sold by the petitioners belonging to the ancestors of the petitioners.

Having regard to the facts and circumstances of the case as also considering the submissions made by the learned counsel for the petitioners, apart from the fact that the petitioners are having deep roots in the society, I deem it fit and proper to extend the privilege of anticipatory bail to the petitioners herein. Accordingly, the abovenamed petitioners, in the event of



their arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Saran at Chapra in connection with Chapra Town PS case no. 278 of 2019 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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