

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15865 of 2022

Arising Out of PS. Case No.-491 Year-2021 Thana- MOTIHARI TOWN District- East
Champaran

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1. RAM SAGAR SINGH S/o Late Narsingh Singh Resident of Village- Sabalpur, P.S.- Sangrampur, District- East Champaran.
 2. Prabhat Singh @ Prabhash Kumar Singh S/o Ram Sagar Singh Resident of Village- Sabalpur, P.S.- Sangrampur, District- East Champaran.
 3. Sunil Kumar @ Sunil Kumar Singh S/o Lalan Prasad Singh Resident of Village- New Agarwa, P.S.- Town Motihari, District- East Champaran.
 4. Shatrughan Thakur S/o- Late Mahant Thakur Resident of Village- Sabalpur, Tiwari Tola, P.S.- Sangrampur, District- East Champaran.
 5. Vishal Kumar Singh S/o Sakindra Singh Resident of Village- Bariyarpur, P.S.- Chhatauni, District- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Ajay Kumar Singh, Adv.
For the Opposite Party/s :	Mr.Ram Priya Sharan Singh, APP
	Mr.Madhurendra Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-08-2022 Heard learned counsel for the petitioners, learned counsel for the informant and learned Additional Public Prosecutor for the State.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered



for the offence punishable under Sections 417, 420, 467, 468, 471, 465, 384, 120B, 504, 506/34 of the Indian Penal Code.

Allegedly, the FIR named accused by forging documents and forcibly getting the signature of the informant have cheated him and got the documents of the land and hotel registered in their name.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. It is submitted that the petitioner no.1 has purchased the said land from the informant after full payment and thereafter the informant has filed a Title Suit in the court below for cancellation of the said sale deed. It is submitted that the informant has seven criminal antecedents, which is also mentioned at para-23 of this application. Petitioner nos.1, 2, 3 and 5 have no criminal antecedent and petitioner no.4 has two criminal antecedent.

Learned APP for the State as well as learned counsel for the informant have opposed the prayer for anticipatory bail by submitting that the witnesses have supported the prosecution



case. It is further submitted that the petitioners have not brought on record any paper to suggest the payment of the consideration amount. They, in fact have forged documents to take possession of the land and house of the informant.

Having regard to the facts and circumstances of the case, since there is a civil nature of dispute, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Town Motihari P.S. Case No.491 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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