

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27406 of 2021

Arising Out of PS. Case No.-486 Year-2019 Thana- BIKRAMGANJ District- Rohtas

MADAN SINGH Son of Late Gaga Singh Resident of Village - Mathiyan,
P.S.- Bikramganj, Distt.- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Kumar, Adv.
For the Opposite Party/s : Mr.Ramchandra Sahni, APP
Mr.Ashutosh Tripathy, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 04-07-2022 Heard learned counsel for the petitioner, learned counsel
for the informant and learned Additional Public Prosecutor for
the State.

Learned counsel for the petitioner 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 petitioner apprehends his arrest in a case registered
for the offence punishable under Sections 467, 468 and 420 of
the Indian Penal Code.

The allegation against the petitioner is of having made
attempts in connivance with other accused persons at and
actually disposing off the property which does not belong to



them.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. It is submitted that a Title Suit is pending between the co-accused and the informant and the said Title Suit was passed ex parte. Against the ex parte, a miscellaneous case has been filed by the informant. It is further submitted that the petitioner has no criminal antecedent and several similarly situated co-accused persons have been enlarged on anticipatory bail by a co-ordinate Bench of this court vide order dated 01.04.2022, passed in Cr. Misc. No.19710 of 2021.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail by submitting that prayer for anticipatory bail by two similarly situated co-accused namely Vijay Mishra @ Vijay Kumar Mishra and Dinanath Mishra has been rejected by co-ordinate Bench of this Court vide order dated 04.01.2022 passed in Cr. Misc. No.18950 of 2021.

Having regard to the facts and circumstances of the case,



considering that a miscellaneous case has been filed by the informant and there is civil dispute between the parties, let the above named petitioner, be released on bail, in the event of his 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) 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 Bikramganj P.S. Case No.486 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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