

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26238 of 2022**

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

=====

SUBHASH KUMAR SINGH @ SUBHASH KUMAR S/o Ram Sagar Singh
R/o village- Sabalpur, P.S.- Sangrampur, 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. Jagdhar Prasad, APP

=====

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 01-09-2022 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 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 the father of the petitioner 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. Similarly situated co-accused persons have been granted bail by this court vide order dated 11.08.2022 in Cr. Misc. No.15865 of 2022. Petitioner has one criminal antecedent, as mentioned in para-3 of the bail application.

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 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 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)

shikha/-

U		T	
---	--	---	--

