

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44175 of 2021

Arising Out of PS. Case No.-123 Year-2020 Thana- PIRPAINTI District- Bhagalpur

1. Kanahiya Tiwari, Male, aged about 74 years.
2. Gopal Tiwari, Male, aged about 66 years.
3. Radhey Shyam Tiwari, Male, aged about 57 years.
4. Anuj Tiwari, Male, aged about 53 years, Son of Late Jagannath Tiwari @ Jagannath Tiwari.
5. Akinchan Tiwari @ Sujit Kumar Tiwari, Male, aged about 39 years.
6. Lalan Tiwari Male, aged about 45 years.
7. Amit Tiwari, Male, aged about 43 years, Son of Kanhaiya Tiwari.
8. Omkar Tiwari, Male, aged about 28 years, Son of Anuj Tiwari.
All residents of Village- Bhakharpur, P.S.- Bhakharpur (Pirpaiti), District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Y. C. Verma, Sr. Advocate Mr. Priyanka Singh, Advocate
For the Opposite Party/s	:	Mr. Animesh Ranjan, Advocate Mr. Prabhat Kumar Dipak, Advocate

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 11-04-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the office within one month.

Heard the learned counsel for the petitioners, learned Additional Public Prosecutor for the State as well as learned counsel for the informant.

The petitioners apprehend their arrest in connection



with Pirpanti (Bakharpur) P.S. Case No. 123 of 2020 registered for offence punishable under Sections 341, 323, 354, 467, 468, 471, 419, 420, 504, 506 and 34 of the Indian Penal Code.

As per the allegation, the petitioners become successful in obtaining the order of Anchal Adhakari in their favour on the basis of forged partition deed to which the informant had not signed.

Learned counsel for the petitioners have submitted that it is a pure civil dispute. The order of the Anchal Adhikari is still existing in favour of the petitioners. The title suit no. 145 of 2019, is pending in the district Court, Bhagalpur.

On the other hand learned counsel for the informant has opposed the prayer for bail by submitting that after creating the forged affidavit, the order of mutation has been obtained.

The matter is admittedly *sub judice* before the competent Civil Court, which is yet to be adjudicated upon.

Considering the above mentioned facts and circumstances, the petitioners above named, in the event of their arrest or surrender, within four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge (SC/ST), Bhagalpur in



connection with Pirpainti (Bakharpur) P.S. Case No. 123 of 2020, subject to condition as laid down under Section 438(2) Cr.P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

Anand Kr.

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

