

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58167 of 2021

Arising Out of PS. Case No.-152 Year-2020 Thana- ALAMNAGAR District- Madhepura

1. BRAJESH SINGH S/o LATE GANESH SINGH, R/o VILLAGE-LADAMA, P.S.-ALAMNAGAR, DISTRICT-MADHEPURA (BIHAR).
2. VIJAY SINGH S/o LATE GHANSHYAM SINGH, R/o VILLAGE-LADAMA, P.S.-ALAMNAGAR, DISTRICT-MADHEPURA (BIHAR).
3. MITHILESH SINGH S/o LATE GANESH SINGH, R/o VILLAGE-LADAMA, P.S.-ALAMNAGAR, DISTRICT-MADHEPURA (BIHAR).
4. ARUN SINGH S/o GHANSHYAM SINGH, R/o VILLAGE-LADAMA, P.S.-ALAMNAGAR, DISTRICT-MADHEPURA (BIHAR).
5. KAILASH SINGH S/o LATE GHANSHYAM SINGH, R/o VILLAGE-LADAMA, P.S.-ALAMNAGAR, DISTRICT-MADHEPURA (BIHAR).
6. PRAMOD PASWAN S/o LATE SAKUW PASWAN, R/o VILLAGE-LADAMA, P.S.-ALAMNAGAR, DISTRICT-MADHEPURA (BIHAR).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anant Kumar 1

For the Opposite Party/s : Mr.Dilip Kumar No. 1

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 05-07-2022 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 as well as the learned Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection with Alamnagar P.S. Case No. 152 of 2020 registered for offence punishable under sections 468, 470 and 471 of the



Indian Penal Code.

At the very outset, the learned counsel for the petitioners has submitted that during the pendency of this anticipatory bail petition, petitioner no. 6 has been arrested and, as such, it has become infructuous with respect to him. He, therefore, seeks permission to withdraw this petition with respect to petitioner no. 6.

In view of the aforesaid submission, **this petition is dismissed as withdrawn with respect to petitioner no. 6.**

So far as petitioner nos. 1 to 5 are concerned, they apprehend their arrest in connection with Alamnagar P.S. Case No. 152 of 2020 registered for offence punishable under sections 406, 420, 467, 468, 470 and 471 of the Indian Penal Code.

As per allegation, the petitioners have ancestral land, in village Ladama, Block-Alam Nagar, District-Madhepura. The informant is raiyat. The allegation against the petitioners is that they created forged sale deed alleged to be executed by the father of the informant in their favour and got their names mutated in the revenue records. The jamabandi was created in their favour. The informant filed mutation appeal in the court of D.C.L.R., Udakishunganj, Madhepura. As per allegation, the



father of the informant never executed any sale deed in favour of any person.

The learned counsel for the petitioners has submitted that the petitioners are transferee of father of the informant. They are the holder of sale deed executed by his father. The Jamabandi was created by the competent authority. The appeal against which is pending before the learned D.C.L.R., Udakishunganj, Madhepura. The petitioners are the persons of clean antecedents.

It appears to be a case of civil nature and ultimate remedy lies in civil court of competent jurisdiction.

Considering the above-mentioned facts and circumstances, let **petitioner nos. 1 to 5**, 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/- each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Udakishunganj (Madhepura) in connection with Alamnagar P.S. Case No. 152 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)

Mahesh/Aditi

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

