

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17832 of 2023

Arising Out of PS. Case No.-380 Year-2022 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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1. NIKHIL KUMAR SINGH Son of Sri Nathuni Singh Resident of Village - Nauwa, Police Station - Dinara, District - Rohtas.
 2. Nathuni Singh Son of Late Indradeo Singh Resident of Village - Nauwa, Police Station - Dinara, District - Rohtas.
 3. Ajay Kumar Singh Son of Sri Nathuni Singh Resident of Village - Nauwa, Police Station - Dinara, District - Rohtas.
 4. Ram Awadhesh Tiwary Son of Sri Ram Bachan Tiwari Resident of Village - Nauwa, Police Station - Dinara, District - Rohtas.
 5. Binod Kumar Chaudhary Son of Sri Ramlal Chaudhary Resident of Village - Nauwa, Police Station - Dinara, District - Rohtas.
 6. Sanjay Kumar Tiwary Son of Sri Ram Darash Tiwary Resident of Village - Nauwa, Police Station - Dinara, District - Rohtas
 7. Binod Kumar Singh Son of Sri Jag Sohawan Singh Resident of village - Indaur, Police Station - Dinara, District - Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Swetank Kumari Daughter of Late Dhananjay Singh Resident of village - Nauwa, Police Station - Dinara, District - Rohtas

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Shashi Bhushan Kumar, Adv.
For the Opposite Party/s :	Mr.Md. Matloob Rab, APP.
	Mr. Radha Mohan Pandey, Adv.
	Mr. Chandra Sekhar Verma, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 07-07-2023 Heard the parties.

The petitioners apprehend their arrest in a case registered
for the offences punishable under Sections 467, 468, 471, 120B
of the Indian Penal Code.

The prosecution case, in short, is that the grandfather of



the complainant had two brothers. One of his brothers i.e. Mundrika Singh executed a will in favour of petitioner no.1 on 05.02.2014, which is not genuine and the signature of Mundrika Singh on the will is also mismatched from his signature on various other documents.

It is further alleged that on the basis of forged documents, the said will was executed and probate case was filed.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. It is further submitted that the complainant has also filed Probate Case No. 13/2018, which is pending for adjudication, claiming therein that Mundrika Singh executed Sada Will in her favour on 24.03.2015. He further submits that that Title Suit No. 1004 of 2016 and Title Suit No. 1243 of 2018 are pending between the parties for declaration of sale deed null and void. Several civil as well as revenue cases are pending between the parties in the competent court of law. Petitioner nos. 1, 4, 5, 6 & 7 have no criminal antecedent, whereas petitioner nos. 2 & 3 have criminal antecedents, as



mentioned in para-3 of this application.

Learned APP for the State as well as learned counsel for the complainant opposed the prayer for bail.

Having regard to the facts and circumstances of the case, as there is civil dispute between the parties, 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 lower Court where the case is pending/successor Court in connection with Complaint Case No. 380 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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