

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41472 of 2023

Arising Out of PS. Case No.-56 Year-2022 Thana- MUFFASIL District- Aurangabad

1. Vinay Kumar Singh S/O Late Dasrath Singh R/O Village- Raypura, P.S- Aurangabad Muffasil, Distt.- Aurangabad (Bihar).
2. Vijay Kr. Singh S/O Late Dasrath Singh R/O Village- Raypura, P.S- Aurangabad Muffasil, Distt.- Aurangabad (Bihar).

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Shailesh Kumar Singh, Advocate
For the Opposite Party : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 28-07-2023 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners, in the present case, are seeking pre-arrest bail in connection with Aurangabad Muffasil P.S. Case No. 56 of 2022 registered for the offences punishable under Sections 420, 341, 323, 467, 468, 120(B) and 34 of the Indian Penal Code. Petitioner no. 1 has no criminal antecedent and petitioner no. 2 has got two criminal antecedents as stated in paragraph '3' of the application.

3. As per the prosecution story, the informant's father has two brothers namely Kamla Singh and Ambika Singh. His father has three daughters. It is alleged that all the accused persons had prepared a forged sale deed and on that basis they



want possession over the land.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in this case for preparing sale deeds in respect of the land belonging to the father of the informant and the co-accused Sikandar Singh, Sudama Singh and Rekha Devi have been granted privilege of anticipatory bail by the learned coordinate Bench of this Court in Cr. Misc. No. 29569/2022 and 36045/2022.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Having regard to the facts and circumstances of the case wherein it is submitted that petitioners have been falsely implicated in this case for preparing sale deeds in respect of the land belonging to the father of the informant, the stand being that the petitioners purchased the land from one Om Prakash Singh who was in peaceful possession over the land and mutation was also running in his name at the time of purchase of the land, the co-accused Sikandar Singh, Sudama Singh and Rekha Devi have been granted privilege of anticipatory bail by a learned coordinate Bench of this Court in Cr. Misc. No. 29569/2022 and 36045/2022, this Court, therefore, directs that in case of their arrest/surrender within a period of four weeks



from today, let the petitioners above-named be enlarged on bail on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Aurangabad Muffasil P.S. Case No. 56 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

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