

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42623 of 2023

Arising Out of PS. Case No.-326 Year-2022 Thana- SHEOHAR District- Sheohar

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1. SATYENDRA SINGH Son of Late Jawahar Singh Resident of village - Aura, P.S. - Tariyani, Distt. - Sheohar
 2. RAVINDRA SINGH Son of Late Jawahar Singh Resident of village - Aura, P.S. - Tariyani, Distt. - Sheohar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Awadhesh Kumar Singh S/o Late Rajendra Singh, R/o Vill. Aura, P.S. Tariyani, District – Sheohar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Jha
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary
Mr.Shankar Kishore Shahi

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 18-10-2023 Heard learned counsel for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence under Sections 420, 467, 468, 471, 34 of the Indian Penal Code.

3. As per the prosecution case, the informant alleged that he has four brothers and his elder brother namely Jawahar Singh was separated in the lifetime of his father with his share and after death of his father and mother, rest three brothers became separated to each other in mess and property in the year 1995. It is further alleged that the informant heard rumor that co-accused Upendra Singh and Satendra Singh (petitioner no. 1) have executed a sale deed of aforesaid land to the co-accused



Shailendra Kumar Singh @ Shalendra Singh mentioning wrong boundary.

4. It is submitted on behalf of petitioners that admittedly, both sides belong to same family and co-sharer of the property and the dispute, as disclosed in the F.I.R., is predominantly of civil nature, but it has been given the colour of criminal offence only with a view to put pressure on petitioners' side. Similarly situated co-accused namely Shailendra Kumar Singh and Upendra Singh have already been granted bail by a coordinate Bench, vide order dated 04.08.2023 passed in Cr.Misc. No. 45884 of 2023 and Cr.Misc. No. 46009 of 2023. Petitioners have got clean antecedent.

5. However, learned counsel for the informant vehemently opposes the prayer of anticipatory bail and submits that these petitioners, in connivance with other co-accused persons, committed fraud and cheated the informant.

6. Considering the nature of dispute and clean antecedent, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged 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 learned C.J.M., Sheohar in connection with



Sheohar P.S. Case No. 326 of 2022, subject to condition as laid
down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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