

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45884 of 2023

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

SHAIENDRA KUMAR SINGH @ SHALENDRA SINGH son of Late
kameshwar Singh Village- Aura Ps- Tariyani Dist- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 46009 of 2023

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

UPENDRA SINGH S/o- LATE JAWAHAR SINGH Village- Aura Ps-
Tariyani Dist- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 45884 of 2023)

For the Petitioner/s : Mr.Dinesh Jha

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

(In CRIMINAL MISCELLANEOUS No. 46009 of 2023)

For the Petitioner/s : Mr.Dinesh Jha

For the Opposite Party/s : Mr.Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for regular bail in a
case instituted for the offence under Sections 420, 467, 468, 471
and 34 of the Indian Penal Code.

3. As per 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 mesh and lands in the year 1995. It is further alleged that the informant heard rumor that the petitioner namely, Upendra Singh and co-accused Satendra Singh have executed a sale deed of aforesaid land to the petitioner namely, Shailendra Kumar Singh @ Shalendra Singh mentioning wrong boundary.

4. It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case. They have committed no offence. He submitted that admittedly both side are belong to same family and co-sharer of the property and it is also submitted that the father of co-accused Ravindra Singh, petitioners, co-accused Jawahar Singh got share total 22 ¼ Dec. land from Khata No. 92, R.S.P. No. 593 and after partition among three sons of co-accused Jawahar Singh namely, Ravindra Singh, Upendra Singh and Satendra Singh got equal share as about 0.7.035 Dec. and the co-accused Upendra Singh and Satendra Singh sold the land of their share area only .012 Dec. out of which to the petitioner, Shailendra Singh. Both parties are heirs of Late Rajendra Singh and there is dispute of



partition of property amongst them. He further submitted that this case is of civil nature. They are languishing in judicial custody since 14.05.2023 and 23.04.2023 respectively.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Court below in connection with Sheohar P.S. Case No. 326 of 2022.

(Sunil Kumar Panwar, J)

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